CARRYOVER

LEGISLATION

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

January 5, 2022
STATUS OF CARRYOVER

BILLS

AND

RESOLUTIONS

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

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

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

Failed on Final Reading (1): 452A

BILLS HELD BY COMMITTEES:

Agriculture (5): 235 571 584 614 LR24

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

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

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

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

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

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


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


Redistricting (0):

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


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

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

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

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

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

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

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

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

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

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


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

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

A BILL FOR AN ACT relating to occupational therapy; to amend section 38-2516, Reissue Revised Statutes of Nebraska; to adopt the Occupational Therapy Practice
Interstate Compact; to authorize practice as an occupational therapist or occupational therapy assistant as prescribed; and to repeal the original section.


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


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

LEGISLATIVE BILL 19A. Introducer by Kolterman, 24.

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

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

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

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

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

LEGISLATIVE BILL 27. Introducer by Wayne, 13.
A BILL FOR AN ACT relating to appropriations; to state intent relating to appropriations to the Nebraska State Historical Society as prescribed; and to declare an emergency.


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

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

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

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

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


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

LEGISLATIVE BILL 32. Introducer by Pansing Brooks, 28.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-111, 28-204, 28-320.01, 28-320.02, 28-1205, 28-1212.02, 28-1212.04, 28-1463.04, and 29-2204.02, Reissue Revised Statutes of Nebraska, and sections 28-101, 28-105, 28-115, 28-201, 28-202, 28-416, 28-813.01, 28-929, 28-1206, 28-1463.05, 29-1816, and 83-1.122.01, Revised Statutes Cumulative Supplement, 2020; to provide for new felony classifications; to change penalties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 33. Introducer by Pansing Brooks, 28.

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

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

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-105.02 and 29-2204.02, Reissue Revised Statutes of Nebraska, and sections 28-105, 28-105.01, and 29-2204, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to sentences for certain offenses committed by persons under
twenty-one years of age; to require consideration of certain factors at sentencing; to harmonize provisions; and to repeal the original sections.

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

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

**LEGISLATIVE BILL 38.** Introducer by Lindstrom, 18.

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

**LEGISLATIVE BILL 42.** Introducer by Dorn, 30.

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

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

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

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

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

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

A BILL FOR AN ACT relating to the Uniform Residential Landlord and Tenant Act; to amend sections 76-1442 and 76-1446, Reissue Revised Statutes of Nebraska; to eliminate an alternative service provision; to harmonize provisions; to repeal the original sections; and to outright repeal section 76-1442.01, Reissue Revised Statutes of Nebraska.
LEGISLATIVE BILL 47. Introducer by Hansen, M., 26.

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

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

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

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

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

LEGISLATIVE BILL 50. Introducer by Groene, 42.

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

LEGISLATIVE BILL 52. Introducer by Lathrop, 12.

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

LEGISLATIVE BILL 53. Introducer by Lathrop, 12.

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

LEGISLATIVE BILL 54. Introducer by Lathrop, 12.

A BILL FOR AN ACT relating to tort claims; to amend sections 13-910 and 81-8,219, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to claims for certain intentional torts; to harmonize provisions; and to repeal the original sections.
LEGISLATIVE BILL 56. Introducer by Lathrop, 12; Hunt, 8.

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

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

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

LEGISLATIVE BILL 60. Introducer by Kolterman, 24.

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

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

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

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

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

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

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

LEGISLATIVE BILL 71. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to tort claims; to amend sections 13-901 and 81-8,235, Reissue Revised Statutes of Nebraska, and sections 13-910 and 81-8,219, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to
claims for certain intentional torts; to provide for applicability; to harmonize provisions; and to repeal the original sections.

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

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

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

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

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

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

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

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

**LEGISLATIVE BILL 79.** Introducer by Briese, 41.

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

**LEGISLATIVE BILL 80.** Introducer by Briese, 41.

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

**LEGISLATIVE BILL 82.** Introducer by Hilkemann, 4.

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend section 60-3,187, Revised Statutes Cumulative Supplement, 2020; to change the
motor vehicle tax schedule fractions; to provide an operative date; and to repeal the original section.

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

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

**LEGISLATIVE BILL 86.** Introducer by Bostelman, 23.

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

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

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

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

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

**LEGISLATIVE BILL 91.** Introducer by Brandt, 32.

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

**LEGISLATIVE BILL 95.** Introducer by DeBoer, 10.

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

**LEGISLATIVE BILL 96.** Introducer by DeBoer, 10.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend section 31-745, Reissue Revised Statutes of Nebraska; to change hearing and notice requirements as prescribed; and to repeal the original section.
LEGISLATIVE BILL 97. Introducer by DeBoer, 10; Hunt, 8.

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

LEGISLATIVE BILL 98. Introducer by Walz, 15.

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

LEGISLATIVE BILL 102. Introducer by Dorn, 30.

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

LEGISLATIVE BILL 104. Introducer by Friesen, 34.

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

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

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

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

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

LEGISLATIVE BILL 110. Introducer by Pansing Brooks, 28; Hunt, 8; Vargas, 7; Wayne, 13; McKinney, 11.
A BILL FOR AN ACT relating to the use of force; to amend sections 28-1406, 28-1409, 28-1412, and 28-1414, Reissue Revised Statutes of Nebraska; to require a peace officer to intervene in cases of excessive force; to require reports; to prohibit retaliation; to define and redefine terms; to change provisions relating to affirmative defenses for the use of force in law enforcement; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 111. Introducer by Albrecht, 17.

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

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

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

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

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

LEGISLATIVE BILL 115. Introducer by McCollister, 20.

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

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

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

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

A BILL FOR AN ACT relating to schools; to amend section 79-10.137, Reissue Revised Statutes of Nebraska; to adopt the Hunger-Free Schools Act; to restate legislative findings; to eliminate provisions relating to reimbursement for school breakfast programs; to repeal the original section; and to outright repeal sections 79-10.138 and 79-10.139, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 118. Introducer by Morfeld, 46.

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

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

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

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

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

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

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

LEGISLATIVE BILL 122. Introducer by Hunt, 8.
A BILL FOR AN ACT relating to the Wage and Hour Act; to amend section 48-1203, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the minimum wage; and to repeal the original section.

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

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


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

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

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

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

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

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

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

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

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

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

A BILL FOR AN ACT relating to the Board of Parole; to amend sections 83-189 and 83-190, Reissue Revised Statutes of Nebraska; to change membership provisions; and to repeal the original sections.
LEGISLATIVE BILL 132. Introducer by DeBoer, 10; Brandt, 32; Dorn, 30; Hilkemann, 4; McCollister, 20; McKinney, 11; Stinner, 48; Walz, 15; Wishart, 27; Hansen, M., 26; Hunt, 8; Kolterman, 24.

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

LEGISLATIVE BILL 132A. Introducer by DeBoer, 10.

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

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

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

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

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

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

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

LEGISLATIVE BILL 136. Introducer by Vargas, 7.
TITLES TO BILLS

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

LEGISLATIVE BILL 137. Introducer by Vargas, 7.

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

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

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

LEGISLATIVE BILL 140. Introducer by Stinner, 48.

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

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

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

LEGISLATIVE BILL 142. Introducer by Stinner, 48.

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

LEGISLATIVE BILL 144. Introducer by Kolterman, 24.

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

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

LEGISLATIVE BILL 146. Introducer by Kolterman, 24.

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

LEGISLATIVE BILL 150. Introducer by Morfeld, 46.

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

LEGISLATIVE BILL 151. Introducer by Morfeld, 46.

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


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


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


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

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

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


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

LEGISLATIVE BILL 164. Introducer by Erdman, 47.

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

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

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

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

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


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

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

A BILL FOR AN ACT relating to the Employment Security Law; to amend sections 48-624, 48-626, and 48-628.17, Revised Statutes Cumulative Supplement, 2020; to
change provisions relating to weekly benefit amounts and maximum annual amounts as prescribed; to eliminate obsolete language; to harmonize provisions; to provide an operative date; and to repeal the original sections.

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

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

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

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

LEGISLATIVE BILL 175. Introducer by Friesen, 34.

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

LEGISLATIVE BILL 176. Introducer by Lindstrom, 18.

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

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

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

LEGISLATIVE BILL 179. Introducer by Linehan, 39.

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

LEGISLATIVE BILL 182. Introducer by Linehan, 39.

A BILL FOR AN ACT relating to sales and use taxes; to amend section 77-2701.16, Revised Statutes Cumulative Supplement, 2020; to exclude certain income from the
definition of gross receipts; to harmonize provisions; to provide an operative date; and to repeal the original section.

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

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

LEGISLATIVE BILL 184. Introducer by Brewer, 43.

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

LEGISLATIVE BILL 186. Introducer by Hilkemann, 4.

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

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

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

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

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

LEGISLATIVE BILL 190. Introducer by Hughes, 44.

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

LEGISLATIVE BILL 191. Introducer by Hughes, 44.

A BILL FOR AN ACT relating to the Irrigation District Act; to amend section 46-102, Revised Statutes Cumulative Supplement, 2020; to redefine an elector as prescribed; to harmonize provisions; and to repeal the original section.
LEGISLATIVE BILL 192. Introducer by Wishart, 27; DeBoer, 10; Wayne, 13.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

LEGISLATIVE BILL 203. Introducer by Pansing Brooks, 28; Blood, 3; Hunt, 8; McKinney, 11; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27; Hansen, M., 26.

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

LEGISLATIVE BILL 204. Introducer by Slama, 1.

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

LEGISLATIVE BILL 205. Introducer by Hunt, 8; Bostar, 29; Cavanaugh, M., 6; Hansen, M., 26; McCollister, 20; McKinney, 11; Morfeld, 46; Pansing Brooks, 28; Wayne, 13.
A BILL FOR AN ACT relating to the Uniform Residential Landlord and Tenant Act; to amend section 76-1431, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to unpaid periodic rent; and to repeal the original section.


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

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

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

LEGISLATIVE BILL 208. Introducer by McDonnell, 5.

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

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

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

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

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

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

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

LEGISLATIVE BILL 213. Introducer by Briese, 41; Halloran, 33; Lowe, 37; McCollister, 20.
A BILL FOR AN ACT relating to state government; to provide for an efficiency review of state agencies as prescribed.

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

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

LEGISLATIVE BILL 215. Introducer by Hughes, 44.

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


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

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

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


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


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

LEGISLATIVE BILL 221. Introducer by Wayne, 13.
A BILL FOR AN ACT relating to plumbing codes; to amend section 18-1915, Reissue Revised Statutes of Nebraska, and sections 18-132 and 23-172, Revised Statutes Cumulative Supplement, 2020; to provide for the applicability of the 2021 Uniform Plumbing Code in certain cities, villages, and counties; to eliminate duplicative provisions; to harmonize provisions; and to repeal the original sections.

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

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

LEGISLATIVE BILL 225. Introducer by Hilkemann, 4.

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

LEGISLATIVE BILL 226. Introducer by Hilkemann, 4.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-3.185, Revised Statutes Cumulative Supplement, 2020; to limit motor vehicle tax exemptions as prescribed; and to repeal the original section.

LEGISLATIVE BILL 227. Introducer by Morfeld, 46.

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

LEGISLATIVE BILL 228. Introducer by Morfeld, 46.

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

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

A BILL FOR AN ACT relating to the Nebraska Criminal Code; to amend sections 28-109, 28-110, 28-111, 28-112, 28-113, and 28-114, Reissue Revised Statutes of Nebraska; to define a term; to provide for enhanced penalties for commission of a crime because of a victim's gender identity or association with a person of a certain gender identity; to include assault by strangulation or suffocation as an offense to which enhanced penalties apply; to change provisions relating to legislative intent, civil actions, and duties of the Nebraska Commission on Law Enforcement and Criminal Justice; and to repeal the original sections.
LEGISLATIVE BILL 230. Introducer by Hunt, 8; Cavanaugh, J., 9; Hansen, M., 26; Cavanaugh, M., 6.

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

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

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

LEGISLATIVE BILL 233. Introducer by Friesen, 34.

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

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

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

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

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

LEGISLATIVE BILL 238. Introducer by McDonnell, 5.

A BILL FOR AN ACT relating to the Ground Emergency Medical Transport Act; to amend sections 68-977, 68-978, 68-979, 68-981, 68-982, 68-983, 68-985, and
LEGISLATIVE BILL 241. Introducer by Vargas, 7; Aguilar, 35; Brandt, 32; Hansen, M., 26; Hunt, 8; Lathrop, 12; McDonnell, 5; Pansing Brooks, 28; Wayne, 13; Cavanaugh, M., 6; McCollister, 20; Cavanaugh, J., 9; McKinney, 11.

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

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

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

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

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

LEGISLATIVE BILL 243A. Introducer by Bostar, 29.

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

LEGISLATIVE BILL 244. Introducer by Clements, 2; Arch, 14; Bostelman, 23; Brewer, 43; Briese, 41; Erdman, 47; Halloran, 33; Lowe, 37; Murman, 38; Slama, 1.
A BILL FOR AN ACT relating to the Concealed Handgun Permit Act; to amend section 69-2436, Reissue Revised Statutes of Nebraska; to change renewal provisions; and to repeal the original section.

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

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

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

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

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

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

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

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

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

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

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

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

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

LEGISLATIVE BILL 258A. Introducer by Vargas, 7.

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

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

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

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

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

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

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

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

A BILL FOR AN ACT relating to the Nebraska Arts Council; to amend sections 82-312, 82-313, and 82-334, Revised Statutes Cumulative Supplement, 2020; to
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state intent for the Legislature to appropriate funds for and to change provisions relating to the competitive grant program; and to repeal the original sections.

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

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

**LEGISLATIVE BILL 267.** Introducer by McCollister, 20.

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

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

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

**LEGISLATIVE BILL 269.** Introducer by McCollister, 20.

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

**LEGISLATIVE BILL 270.** Introducer by Morfeld, 46.

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

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

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

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

A BILL FOR AN ACT relating to the Mobile Home Landlord and Tenant Act; to amend sections 76-1485, 76-1486, 76-1489, and 76-14,101, Reissue Revised...
LEGISLATIVE BILL 278. Introducer by Wayne, 13; Hunt, 8.

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

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

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

LEGISLATIVE BILL 280. Introducer by Albrecht, 17.

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

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

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

LEGISLATIVE BILL 282. Introducer by Albrecht, 17.

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

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

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

LEGISLATIVE BILL 284. Introducer by Cavanaugh, M., 6.
A BILL FOR AN ACT relating to the Governor's Emergency Program; to amend section 81-829.42, Revised Statutes Cumulative Supplement, 2020; to provide requirements regarding federal funds; and to repeal the original section.

**LEGISLATIVE BILL 286.** Introducer by Walz, 15.

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

**LEGISLATIVE BILL 287.** Introducer by Walz, 15.

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

**LEGISLATIVE BILL 289.** Introducer by Walz, 15.

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

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

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

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

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

**LEGISLATIVE BILL 292.** Introducer by Friesen, 34.

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

**LEGISLATIVE BILL 293.** Introducer by Flood, 19.
A BILL FOR AN ACT relating to the Public Service Commission; to amend sections 32-509, 75-101, and 75-101.01, Reissue Revised Statutes of Nebraska; to change the number of districts and qualifications; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 294. Introducer by Flood, 19.

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

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

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

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

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

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

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

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

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

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


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

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

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

LEGISLATIVE BILL 308. Introducer by Pansing Brooks, 28.

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

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

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

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

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

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

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

LEGISLATIVE BILL 314. Introducer by Pahls, 31.
A BILL FOR AN ACT relating to insurance; to amend section 44-312, Revised Statutes Cumulative Supplement, 2020; to change provisions related to telehealth insurance coverage; and to repeal the original section.


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


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

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

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

LEGISLATIVE BILL 323. Introducer by Walz, 15.

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

LEGISLATIVE BILL 323A. Introducer by Walz, 15.

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

LEGISLATIVE BILL 325. Introducer by Albrecht, 17.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend section 38-2101, Reissue Revised Statutes of Nebraska, and sections 38-121 and 38-2130, Revised Statutes Cumulative Supplement, 2020; to adopt the Art Therapy Practice
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Act; to provide powers and duties for the Board of Mental Health Practice; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 326. Introducer by Slama, 1.

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

LEGISLATIVE BILL 328. Introducer by Arch, 14.

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


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


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

LEGISLATIVE BILL 331. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to offenses against animals; to amend section 28-1014, Reissue Revised Statutes of Nebraska; to prohibit contractual criminal enforcement by private entities; and to repeal the original section.
LEGISLATIVE BILL 332. Introducer by Wayne, 13; Hunt, 8.

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


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


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

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

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

LEGISLATIVE BILL 339. Introducer by Bostelman, 23.

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

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

LEGISLATIVE BILL 341. Introducer by Stinner, 48.

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

LEGISLATIVE BILL 342. Introducer by Stinner, 48.

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

LEGISLATIVE BILL 344. Introducer by Friesen, 34.

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

LEGISLATIVE BILL 344A. Introducer by Friesen, 34.

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

LEGISLATIVE BILL 345. Introducer by Friesen, 34.

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

LEGISLATIVE BILL 346. Introducer by Wishart, 27.

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

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

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to an income tax deduction for dividends received or deemed to be received from certain corporations; and to repeal the original section.
LEGISLATIVE BILL 348. Introducer by Morfeld, 46.

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

LEGISLATIVE BILL 349. Introducer by McKinney, 11.

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

LEGISLATIVE BILL 350. Introducer by Linehan, 39.

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

LEGISLATIVE BILL 352. Introducer by Lathrop, 12.

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

LEGISLATIVE BILL 353. Introducer by Lathrop, 12.

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

LEGISLATIVE BILL 356. Introducer by Hunt, 8.

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

LEGISLATIVE BILL 357. Introducer by Hunt, 8.

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

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

A BILL FOR AN ACT relating to the Uniform Residential Landlord and Tenant Act; to amend section 76-1439, Reissue Revised Statutes of Nebraska; to change
provisions relating to retaliatory conduct by a landlord; and to repeal the original section.

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

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

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

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

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

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

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

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

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

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

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

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

**LEGISLATIVE BILL 367.** Introducer by Briese, 41.
A BILL FOR AN ACT relating to the Mechanical Amusement Device Tax Act; to amend section 77-3005, Reissue Revised Statutes of Nebraska, sections 77-3007 and 77-3011, Revised Statutes Cumulative Supplement, 2020, and section 77-3001, Reissue Revised Statutes of Nebraska, as amended by section 12, Initiative Law 2020, No. 430; to define and redefine terms; to impose and levy a tax on cash devices; to harmonize provisions; to provide an operative date; and to repeal the original sections.

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

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

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

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


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

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

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

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

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

LEGISLATIVE BILL 377. Introducer by DeBoer, 10.

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

LEGISLATIVE BILL 378. Introducer by DeBoer, 10.
A BILL FOR AN ACT relating to schools; to require the Commissioner of Education to report data as prescribed.

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

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

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

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

LEGISLATIVE BILL 393. Introducer by Hughes, 44.

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


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

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

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

LEGISLATIVE BILL 397. Introducer by Bostelman, 23.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-301 and 60-2907, Revised Statutes Cumulative Supplement, 2020; to prohibit certain causes of action by motorists without insurance or financial responsibility or motorists convicted of driving under the influence or refusal to test; to require the Department of Motor Vehicles to establish and maintain an online verification system for
accessing certain private passenger motor vehicle insurance information; to authorize a disclosure under the Uniform Motor Vehicle Records Disclosure Act; and to repeal the original sections.

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

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

LEGISLATIVE BILL 399. Introducer by Bostelman, 23.

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

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

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

LEGISLATIVE BILL 403. Introducer by Slama, 1.

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

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

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

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

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

LEGISLATIVE BILL 409. Introducer by Brewer, 43; Wayne, 13.
A BILL FOR AN ACT relating to public power; to amend section 70-1012, Reissue Revised Statutes of Nebraska, and section 70-1015, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to construction and unauthorized construction of electric transmission lines; to provide a moratorium on the construction of certain electric transmission lines as prescribed; to create the Electric Transmission Line Study Committee of the Legislature; and to repeal the original sections.

LEGISLATIVE BILL 410. Introducer by Linehan, 39.

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

LEGISLATIVE BILL 413. Introducer by Wishart, 27.

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

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

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

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

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

LEGISLATIVE BILL 418. Introducer by Murman, 38; Blood, 3; Bostar, 29; Briese, 41; Cavanaugh, J., 9; Clements, 2; Day, 49; Dorn, 30; Erdman, 47; Flood, 19; Geist, 25; Gragert, 40; Halloran, 33; Lowe, 37; Pansing Brooks, 28; Slama, 1; Walz, 15.
A BILL FOR AN ACT relating to public health; to adopt the Solemn Covenant of the States to Award Prizes for Curing Diseases compact.

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

A BILL FOR AN ACT relating to civil actions; to amend sections 25-21.223, 76-1442, and 76-1450, Reissue Revised Statutes of Nebraska; to require appointment of counsel at county expense in eviction proceedings; to define terms; to provide a duty for the Supreme Court; to require notice of the right to counsel in summonses as prescribed; to provide for a fee; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 420, Introducer by Pahls, 31.

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

LEGISLATIVE BILL 421, Introducer by Stinner, 48.

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

LEGISLATIVE BILL 422, Introducer by Briese, 41.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701.02, 77-2701.36, 77-2701.41, 77-2704.26, 77-2704.45, 77-2713, 77-2713, and 77-27.223, Reissue Revised Statutes of Nebraska, and sections 77-2701, 77-2701.04, 77-2701.16, 77-2701.32, 77-2703, 77-2703.01, and 77-2711, Revised Statutes Cumulative Supplement, 2020; to change the sales tax rate; to define and redefine terms; to impose sales and use taxes on additional services as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original sections.

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

A BILL FOR AN ACT relating to zoning restrictions; to amend sections 23-114, 23-114.01, 23-114.05, 66-914, and 72-272, Reissue Revised Statutes of Nebraska, and section 23-172, Revised Statutes Cumulative Supplement, 2020; to define a term; to require county zoning provisions prior to construction of wind energy generation projects as prescribed; to provide for fees as prescribed; to change provisions relating to county zoning resolutions, violations, and codes; to eliminate provisions relating to variances or exceptions from zoning regulations; to provide limitations on agreements relating to school lands; and to repeal the original sections.
LEGISLATIVE BILL 425. Introducer by Health and Human Services Committee; Arch, Chairperson; Cavanaugh, M., 6; Day, 49; Hansen, B., 16; Murman, 38; Walz, 15; Williams, 36.

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

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

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

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

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

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

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

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

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

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

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1376, 77-1504, 77-27,135, 81-15,164, and 81-3722, Reissue Revised Statutes of Nebraska; to change provisions relating to improvements on leased lands, the assessment of
undervalued and overvalued property, methods for giving notice, and the collection of certain fees and taxes; to repeal the original sections; and to declare an emergency.

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

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

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

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

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

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

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

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

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

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

**LEGISLATIVE BILL 438.** Introducer by Hansen, M., 26.
A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Labor.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

LEGISLATIVE BILL 449. Introducer by Wishart, 27.

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

LEGISLATIVE BILL 450. Introducer by McKinney, 11.

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

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

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


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

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

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-201 and 77-5023, Reissue Revised Statutes of Nebraska, and sections 79-1016 and
79-1018.01, Revised Statutes Cumulative Supplement, 2020; to adopt the School Property Tax Stabilization Act; to change the valuation of agricultural land and horticultural land as prescribed; to harmonize provisions; to provide operative dates; and to repeal the original sections.

LEGISLATIVE BILL 454A. Introducer by Friesen, 34.

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

LEGISLATIVE BILL 455. Introducer by Friesen, 34.

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

LEGISLATIVE BILL 456. Introducer by Friesen, 34.

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


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

LEGISLATIVE BILL 458. Introducer by McCollister, 20.

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

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

A BILL FOR AN ACT relating to dark fiber; to amend sections 18-419, 70-704, 70-1409, 75-132.01, 86-416, 86-574, and 86-575, Reissue Revised Statutes of Nebraska, and sections 70-625 and 86-577, Revised Statutes Cumulative Supplement, 2020; to authorize the licensing of dark fiber by any agency or political subdivision of the state as prescribed; to eliminate Public Service Commission jurisdiction relating to certain violations and appeals; to harmonize provisions; to
repeal the original sections; and to outright repeal section 86-578, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 462. Introducer by Dorn, 30.

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

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

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

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

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

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

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

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

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

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

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

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

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

LEGISLATIVE BILL 470. Introducer by DeBoer, 10.
A BILL FOR AN ACT relating to decedents' estates; to adopt the Uniform Powers of Appointment Act.

LEGISLATIVE BILL 471. Introducer by DeBoer, 10.

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

LEGISLATIVE BILL 472. Introducer by DeBoer, 10.

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

LEGISLATIVE BILL 473. Introducer by DeBoer, 10.

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

LEGISLATIVE BILL 473A. Introducer by DeBoer, 10.

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

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

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

LEGISLATIVE BILL 474A. Introducer by Wishart, 27.

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

LEGISLATIVE BILL 475. Introducer by Wishart, 27; Hansen, M., 26; Hunt, 8; Morfeld, 46.
A BILL FOR AN ACT relating to initiative and referendum petitions; to amend section 32-1405, Revised Statutes Cumulative Supplement, 2020; to require the Attorney General to issue an opinion with respect to whether an initiative measure contains more than one subject as prescribed; and to repeal the original section.

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

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

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

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

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

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

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

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

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

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-14,101.02, Reissue Revised Statutes of Nebraska; to define a term; to prohibit the use of public resources made as a
contribution by transfer to certain entities as prescribed; and to repeal the original section.

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

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

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

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-204, 28-518, and 29-2204.02, Reissue Revised Statutes of Nebraska, and sections 28-105, 28-201, and 83-1.122.01, Revised Statutes Cumulative Supplement, 2020; to provide for a new felony classification; to change penalties; to harmonize provisions; and to repeal the original sections.

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

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

**LEGISLATIVE BILL 488.** Introducer by Stinner, 48.

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

**LEGISLATIVE BILL 489.** Introducer by Wayne, 13.

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

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

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

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

A BILL FOR AN ACT relating to children and families; to amend sections 43-2204, 43-4401, 43-4402, 43-4403, 43-4407, 68-1207, 68-1214, and 81-3135, Reissue Revised Statutes of Nebraska, and sections 43-4406 and 68-1212, Revised Statutes Cumulative Supplement, 2020; to change and eliminate provisions regarding lead agencies and a pilot project; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 43-4408, 43-4409, and 68-1213, Reissue Revised Statutes of Nebraska.
LEGISLATIVE BILL 492. Introducer by Cavanaugh, M., 6.

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

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

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

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

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

LEGISLATIVE BILL 495. Introducer by Hilkemann, 4.

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

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

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

LEGISLATIVE BILL 496A. Introducer by Hilkemann, 4.

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

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

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

LEGISLATIVE BILL 498A. Introducer by DeBoer, 10.
A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 498, One Hundred Seventh Legislature, First Session, 2021.

**LEGISLATIVE BILL 499.** Introducer by DeBoer, 10.

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

**LEGISLATIVE BILL 502.** Introducer by Flood, 19.

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

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

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

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

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

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

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

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

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

**LEGISLATIVE BILL 510.** Introducer by Lindstrom, 18.

A BILL FOR AN ACT relating to the Nebraska Installment Loan Act; to amend section 45-1014, Reissue Revised Statutes of Nebraska, and sections 45-1013 and
45-1024. Revised Statutes Cumulative Supplement, 2020; to change installment loan license renewal fees and provide for distribution; to change the rate of interest charged on installment loans; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 511. Introducer by Lindstrom, 18.

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

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

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

LEGISLATIVE BILL 513. Introducer by Brewer, 43.

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

LEGISLATIVE BILL 514. Introducer by Brewer, 43.

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

LEGISLATIVE BILL 515. Introducer by McKinney, 11.

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

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

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

LEGISLATIVE BILL 517. Introducer by McKinney, 11; Cavanaugh, J., 9.

A BILL FOR AN ACT relating to tobacco; to amend sections 69-2705, 77-2601, and 77-2603, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to cigarette tax stamps; to provide for the use of hologram, barcode, or quick response code tax stamps; to define terms; to harmonize provisions; and to repeal the original sections.
60-4,144, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the gender designated on drivers' licenses and state identification cards; to change gender-related language as prescribed; to provide a procedure for amendment of a birth certificate; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 518.** Introducer by Morfeld, 46.

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

**LEGISLATIVE BILL 519.** Introducer by Morfeld, 46.

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

**LEGISLATIVE BILL 520.** Introducer by Friesen, 34.

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

**LEGISLATIVE BILL 522.** Introducer by Friesen, 34.

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

**LEGISLATIVE BILL 523.** Introducer by Albrecht, 17.

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

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

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

**LEGISLATIVE BILL 525.** Introducer by Wishart, 27.
A BILL FOR AN ACT relating to treatment and corrections; to amend sections 47-902, 47-903, 47-904, 47-905, 47-907, 47-911, 47-914, and 47-915, Revised Statutes Cumulative Supplement, 2020; to provide duties and requirements for transitional housing facilities receiving state or county funding; to define terms; to provide for inspections; to provide the Office of Inspector General of the Nebraska Correctional System with authority to oversee the Division of Parole Supervision; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 526. Introducer by Wishart, 27.

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

LEGISLATIVE BILL 529. Introducer by Walz, 15.

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

LEGISLATIVE BILL 529A. Introducer by Walz, 15.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 529, One Hundred Seventh
Legislature, First Session, 2021; to outright repeal section 49, Legislative Bill 380, One Hundred Seventh Legislature, First Session, 2021; and to declare an emergency.

**LEGISLATIVE BILL 530.** Introducer by Lathrop, 12.

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

**LEGISLATIVE BILL 531.** Introducer by Briese, 41.

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

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

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

**LEGISLATIVE BILL 535.** Introducer by Kolterman, 24.

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

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

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

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

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

**LEGISLATIVE BILL 539.** Introducer by Walz, 15.

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

**LEGISLATIVE BILL 541.** Introducer by Walz, 15.
A BILL FOR AN ACT relating to foster care; to amend sections 43-4215 and 68-1210, Reissue Revised Statutes of Nebraska; to provide duties for the Division of Children and Family Services and the Division of Medicaid and Long-Term Care of the Department of Health and Human Services to implement services and reimbursement rates as prescribed; to repeal the original sections; and to declare an emergency.

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

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

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

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

LEGISLATIVE BILL 545. Introducer by Wayne, 13.

A BILL FOR AN ACT relating to gaming; to amend sections 77-3004, 77-3005, and 77-3009, Reissue Revised Statutes of Nebraska, sections 9-1.101, 77-3007, 77-3011, 77-3442, and 79-1001, Revised Statutes Cumulative Supplement, 2020, sections 28-1101, 28-1105, 28-1113, and 77-3001, Reissue Revised Statutes of Nebraska, as amended by sections 8, 9, 10, and 12, respectively, Initiative Law 2020, No. 430, and section 3, Initiative Law 2020, No. 430; to adopt the Games of Skill Act; to redefine duties for the Department of Revenue; to provide a gambling exception for operating or participating in games of skill; to change a provision relating to the possession of gambling records; to correlate provisions with Laws 2019, LB538, section 2; to provide for excise taxes as prescribed; to change provisions relating to property tax levies; to change the Tax Equity and Educational Opportunities Support Act; to redefine a term under the Nebraska Racetrack Gaming Act; to harmonize provisions; to provide an operative date; and to repeal the original sections.


A BILL FOR AN ACT relating to marijuana; to amend sections 28-439, 43-292, 77-2701.02, 77-2701.48, 77-2704.09, 77-27132, 77-4301, 77-4302, 77-4303, 77-4304, 77-4305, 77-4306, 77-4309, 77-4310.01, and 77-4310.03, Reissue Revised Statutes of Nebraska, and sections 28-401, 28-405, 28-416, 28-476, 28-1354, 60-6;211.08, 71-5727, 81-2,239, and 81-2,263, Revised Statutes Cumulative Supplement, 2020; to adopt the Marijuana Control Act and Marijuana Conviction Clean Slate Act; to remove marijuana as a controlled substance under the Uniform Controlled Substances Act; to change provisions relating to penalties for possession of a synthetic cannabinoid and drug paraphernalia; to define, redefine, and eliminate terms; to change provisions relating to termination of parental rights, visitation, custody, and other parenting matters; to prohibit possession of an open container of
LEGISLATIVE BILL 547. Introducer by Wayne, 13.

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

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

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


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


A BILL FOR AN ACT relating to law enforcement; to amend sections 48-147, 48-2799, 81-1403, 81-1407, 81-1412.02, and 81-1414, Reissue Revised Statutes of Nebraska, and sections 23-1701.01, 29-2264, 48-115, 48-126.01, 48-145, 81-1401, 81-1414.07, 81-1456, and 81-1457, Revised Statutes Cumulative Supplement, 2020; to define and redefine terms; to change provisions relating to annual and initial training for law enforcement officers; to change membership of the Nebraska Police Standards Advisory Council; to provide for certification of persons certified as law enforcement officers in other states; to change provisions relating to law enforcement officer certification; to provide for policies and requirements for investigating law enforcement officer misconduct; to require law enforcement agencies to maintain records regarding officer discipline; to make certain records relating to law enforcement officers public; to create a public data base; to provide duties for the Nebraska Commission on Law Enforcement and Criminal Justice; to prohibit chokeholds as prescribed; to require policies on excessive force and a duty to intervene; to require accreditation of law enforcement agencies; to create a fund; to eliminate provisions regarding law enforcement reserve forces; to harmonize provisions; to repeal the original sections; and to outright repeal sections 81-1438,
LEGISLATIVE BILL 552. Introducer by Wayne, 13.

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

LEGISLATIVE BILL 553. Introducer by Wayne, 13.

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

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

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


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


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

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

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

LEGISLATIVE BILL 560. Introducer by Briese, 41.

A BILL FOR AN ACT relating to gaming; to amend sections 1, 3, 5, and 6, Initiative Law 2020, No. 430, and sections 2, 3, 5, and 7, Initiative Law 2020, No. 431; to change the name of the Nebraska Gaming Commission and the State Racing Commission; to define and redefine terms; to change provisions of the Nebraska
Racetrack Gaming Act; to provide requirements for licensure; to provide powers and duties for the commission; to establish requirements for sports wagering; to prohibit certain activities; to provide penalties; to harmonize provisions; to repeal the original sections; and to declare an emergency.

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

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

**LEGISLATIVE BILL 563.** Introducer by McDonnell, 5.

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

**LEGISLATIVE BILL 564.** Introducer by McDonnell, 5.

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

**LEGISLATIVE BILL 565.** Introducer by McDonnell, 5.

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

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

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

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

A BILL FOR AN ACT relating to juveniles; to amend sections 28-709, 43-247, 43-252, 43-260.03, 43-260.05, 43-2404, 43-2404.03, 43-2405, 43-3504, 79-201, 79-207, 79-210, 79-267, 79-1601, and 79-2114, Reissue Revised Statutes of Nebraska, and sections 25-2912.01, 43-245, 43-247.03, 43-248, 43-251.01, 43-260.04, 43-274, 43-276, 43-286, 43-2404.02, 79-209, and 79-2506, Revised Statutes Cumulative Supplement, 2020; to change the jurisdiction of juvenile courts as prescribed; to change provisions and terminology related to truancy; to eliminate obsolete language; to change provisions of the Community-based Juvenile Services
Aid Program and the Commission Grant Program; to change a funding intent; to change provisions related to compulsory education; to transfer a duty; to clarify provisions; to add authority for rules and regulations; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 569. Introducer by Pansing Brooks, 28.

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

LEGISLATIVE BILL 571. Introducer by Halloran, 33.

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

LEGISLATIVE BILL 573. Introducer by Bostar, 29.

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

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

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

LEGISLATIVE BILL 576. Introducer by Bostar, 29.

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

LEGISLATIVE BILL 577. Introducer by Bostar, 29.

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

LEGISLATIVE BILL 578. Introducer by Vargas, 7; Wishart, 27.
A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-101 and 53-103, Revised Statutes Cumulative Supplement, 2020; to define a term; to provide a tax on manufacturers and wholesalers of ready-to-drink cocktails; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 580. Introducer by Moser, 22.

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

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

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

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

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

LEGISLATIVE BILL 584. Introducer by Vargas, 7.

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

LEGISLATIVE BILL 585. Introducer by Vargas, 7.

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

LEGISLATIVE BILL 586. Introducer by Clements, 2.

A BILL FOR AN ACT relating to city pensions; to amend sections 14-567 and 15-1017, Revised Statutes Cumulative Supplement, 2020; to require a report to the Legislature and the Governor relating to certain city police and firefighter defined benefit retirement plans as prescribed; and to repeal the original sections.
LEGISLATIVE BILL 587. Introducer by McDonnell, 5.

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

LEGISLATIVE BILL 587A. Introducer by McDonnell, 5.

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

LEGISLATIVE BILL 588. Introducer by Stinner, 48.

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

LEGISLATIVE BILL 589. Introducer by Groene, 42.

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

LEGISLATIVE BILL 590. Introducer by Groene, 42.

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

LEGISLATIVE BILL 591. Introducer by Groene, 42.

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

LEGISLATIVE BILL 592. Introducer by Stinner, 48.

A BILL FOR AN ACT relating to the Automated Medication Systems Act; to amend sections 71-2449 and 71-2451, Reissue Revised Statutes of Nebraska; to provide for use of automated medication distribution machines as prescribed; and to repeal the original sections.
LEGISLATIVE BILL 593. Introducer by Slama, 1.

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

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

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

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

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

LEGISLATIVE BILL 597. Introducer by Albrecht, 17.

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

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

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

LEGISLATIVE BILL 599. Introducer by Lindstrom, 18.

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

LEGISLATIVE BILL 600. Introducer by Brandt, 32.

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

LEGISLATIVE BILL 601. Introducer by McKinney, 11.
A BILL FOR AN ACT relating to law enforcement; to amend section 81-1456, Revised Statutes Cumulative Supplement, 2020; to require law enforcement agencies to maintain records regarding officer discipline; to make certain records relating to law enforcement officers public; to create a public database; to provide a duty for the Nebraska Commission on Law Enforcement and Criminal Justice; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 602. Introducer by Pahls, 31.

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

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

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

LEGISLATIVE BILL 604. Introducer by Geist, 25.

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

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

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

LEGISLATIVE BILL 606. Introducer by Hilgers, 21.

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

LEGISLATIVE BILL 607. Introducer by Hilgers, 21.

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

LEGISLATIVE BILL 608. Introducer by Hilgers, 21.

A BILL FOR AN ACT relating to the State Racing Commission; to amend section 2-1201, Revised Statutes Cumulative Supplement, 2020; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original section.
LEGISLATIVE BILL 609. Introducer by Hilgers, 21.

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

LEGISLATIVE BILL 610. Introducer by Hilgers, 21.

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

LEGISLATIVE BILL 611. Introducer by Hilgers, 21.

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

LEGISLATIVE BILL 612. Introducer by Lathrop, 12.

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

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

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

LEGISLATIVE BILL 614. Introducer by Erdman, 47.

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

LEGISLATIVE BILL 615. Introducer by Erdman, 47.

A BILL FOR AN ACT relating to the Game and Parks Commission; to amend sections 37-101 and 37-102, Reissue Revised Statutes of Nebraska, and section 32-101, Revised Statutes Cumulative Supplement, 2020; to provide for election of commission members as prescribed; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.
LEGISLATIVE BILL 617. Introducer by Hughes, 44.

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

LEGISLATIVE BILL 618. Introducer by Hughes, 44.

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

LEGISLATIVE BILL 619. Introducer by Sanders, 45.

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

LEGISLATIVE BILL 620. Introducer by Vargas, 7.

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

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

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

LEGISLATIVE BILL 622. Introducer by Friesen, 34.

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

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

A BILL FOR AN ACT relating to education; to amend sections 48-818.01, 79-101, 79-209, 79-10,110.02, and 79-1204, Revised Statutes Cumulative Supplement, 2020; to adopt the Remote Instruction Act; to change collective-bargaining requirements; to define and redefine terms; to provide duties for attendance officers and school districts; to change provisions relating to tax levies as prescribed; to harmonize provisions; and to repeal the original sections.
LEGISLATIVE BILL 624. Introducer by McCollister, 20.

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

LEGISLATIVE BILL 626. Introducer by Vargas, 7.

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

LEGISLATIVE BILL 627. Introducer by Morfeld, 46.

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

LEGISLATIVE BILL 629. Introducer by Morfeld, 46.

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

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

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

LEGISLATIVE BILL 632. Introducer by Bostar, 29.

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

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

A BILL FOR AN ACT relating to the Motor Vehicle Industry Regulation Act; to amend section 60-1411.03, Reissue Revised Statutes of Nebraska, and sections 60-1407 and 60-1438.01, Revised Statutes Cumulative Supplement, 2020; to change
provisions relating to license applications, prohibited acts, and franchise restrictions; and to repeal the original sections.

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

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

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

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

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

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

**LEGISLATIVE BILL 637.** Introducer by Vargas, 7.

A BILL FOR AN ACT relating to public health; to amend sections 23-174.10, 71-1623, 71-1631, 71-1632, and 71-1635, Reissue Revised Statutes of Nebraska, and sections 17-121 and 17-208, Revised Statutes Cumulative Supplement, 2020; to change and eliminate powers of certain cities and villages; to change provisions relating to the authority of certain local boards of health to control contagious diseases; to eliminate certain review and approval powers of the Department of Health and Human Services relating to rules and regulations of local boards of health; to eliminate certain local health director powers as prescribed; to provide
county or district health departments with exclusive powers to control contagious or infectious disease; to eliminate boards of health for cities of the first class; to harmonize provisions; to repeal the original sections; and to outright repeal section 16-238, Revised Statutes Cumulative Supplement, 2020.

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

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

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

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

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

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

LEGISLATIVE BILL 642. Introducer by Day, 49.

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

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

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

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

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

LEGISLATIVE BILL 646. Introducer by Flood, 19.
A BILL FOR AN ACT relating to appropriations; to amend Laws 2020, LB1008, section 60; to change the maximum amount of certain scholarships; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 648. Introducer by Flood, 19.

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

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

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

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

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


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


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


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

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

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

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


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

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

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

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

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


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

LEGISLATIVE BILL 663. Introducer by Geist, 25.

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

LEGISLATIVE BILL 667. Introducer by Halloran, 33.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-144.01, Reissue Revised Statutes of Nebraska; to provide for confidentiality of and access to certain injury reports; and to repeal the original section.
LEGISLATIVE BILL 668. Introducer by Hughes, 44.

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

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

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

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

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

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

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

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

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

LEGISLATIVE BILL 676. Introducer by Linehan, 39.

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

LEGISLATIVE BILL 677. Introducer by Linehan, 39.

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

LEGISLATIVE BILL 679. Introducer by Linehan, 39.
A BILL FOR AN ACT relating to revenue and taxation; to require the Tax Commissioner to collect lodging taxes imposed by cities and villages.

LEGISLATIVE BILL 680. Introducer by Linehan, 39.

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


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

LEGISLATIVE BILL 684. Introducer by Clements, 2.

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

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

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

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

XIX-1

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

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

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

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

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

A constitutional amendment to legalize cannabis for persons twenty-one years of age or older and to require the Legislature to enact laws relating to cannabis.

For
Against.

LEGISLATIVE RESOLUTION 3CA. Introducer by Slama, 1; Hansen, B., 16; Murman, 38; Groene, 42; Lindstrom, 18; Clements, 2; Albrecht, 17.

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

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

To amend Article I, section 22:

I-22 (1) All elections shall be free; and there shall be no hindrance or impediment to the right of a qualified voter to exercise the elective franchise.

(2) In order to combat voter fraud, preserve the relative power of each eligible citizen's right to vote, modernize the election infrastructure of the state, and ensure the integrity of the elections of the state so as to preserve the public confidence in the legitimacy of the elected government, a poll worker shall review a photograph or digital image of each voter to verify the identity of the voter in a manner determined by the Legislature prior to allowing the voter to vote. The Legislature shall provide specifications for the manner of reviewing such photograph or digital image and for exemptions for specific situations in which such requirement would violate an individual's rights under the Constitution of the United States.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:
A constitutional amendment to require verification of identity in a manner provided by the Legislature prior to voting.

For

Against.

LEGISLATIVE RESOLUTION 10CA. Introducer by Cavanaugh, M., 6; Hansen, M., 26; Hunt, 8; McKinney, 11.

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

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

To amend Article VI, section 2:

VI-2 No person shall be qualified to vote who is non compos mentis, or who has been convicted of treason or felony under the laws of the state or of the United States, unless restored to civil rights.

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

A constitutional amendment to remove felony convictions other than treason from being a disqualification for voting.

For

Against.

LEGISLATIVE RESOLUTION 11CA. Introducer by Erdman, 47; Albrecht, 17; Brewer, 43; Briese, 41; Clements, 2; Halloran, 33; Lowe, 37; McDonnell, 5; Murman, 38.

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

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

To amend Article IV, section 28, and Article VIII, sections 1, 1A, 1B, 2, 2A, 3, 4, 5, 6, 7, 10, 11, 12, and 13, and add a new section 14 to Article VIII:

IV-28 Until January 1, 2025 By January 1, 1997, there shall be a Tax Equalization and Review Commission. The members of the commission shall be appointed by the Governor as provided by law. The commission shall have power to review and equalize assessments of property for taxation within the state and shall have such other powers and perform such other duties as the Legislature may provide. The terms of office and compensation of members of the commission shall be as provided by law.

A Tax Commissioner shall be appointed by the Governor with the approval of the Legislature. The Tax Commissioner may have jurisdiction over the administration of the revenue laws of the state and such other duties and powers as provided by law. The Tax Commissioner shall serve at the pleasure of the Governor.

VIII-1 (1) The necessary revenue of the state and its governmental subdivisions shall be raised by taxation in such manner as the Legislature may direct. Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 4, of this Constitution or any other provision of this Constitution to the contrary and
subject to subsection (2) of this section: (a) (4) Taxes shall be levied by valuation uniformly and proportionately upon all real property and franchises as defined by the Legislature except as otherwise provided in or permitted by this Constitution; (b) (2) tangible personal property, as defined by the Legislature, not exempted by this Constitution or by legislation, shall all be taxed at depreciated cost using the same depreciation method with reasonable class lives, as determined by the Legislature, or shall all be taxed by valuation uniformly and proportionately; (c) (4) the Legislature may provide for a different method of taxing motor vehicles and may also establish a separate class of motor vehicles consisting of those owned and held for resale by motor vehicle dealers which shall be taxed in the manner and to the extent provided by the Legislature and may also establish a separate class for trucks, trailers, semitrailers, truck-tractors, or combinations thereof, consisting of those owned by residents and nonresidents of this state, and operating in interstate commerce, and may provide reciprocal and proportionate taxation of such vehicles. The tax proceeds from motor vehicles taxed in each county shall be allocated to the county and the cities, villages, and school districts of such county; (d) (4) the Legislature may provide that agricultural land and horticultural land, as defined by the Legislature, shall constitute a separate and distinct class of property for purposes of taxation and may provide for a different method of taxing agricultural land and horticultural land which results in values that are not uniform and proportionate with all other real property and franchises but which results in values that are uniform and proportionate upon all property within the class of agricultural land and horticultural land; (e) (4) the Legislature may enact laws to provide that the value of land actively devoted to agricultural or horticultural use shall for property tax purposes be that value which such land has for agricultural or horticultural use without regard to any value which such land might have for other purposes or uses; (f) (4) the Legislature may prescribe standards and methods for the determination of the value of real property at uniform and proportionate values; (g) (4) in furtherance of the purposes for which such a law of the United States has been adopted, whenever there exists a law of the United States which is intended to protect a specifically designated type, use, user, or owner of property or franchise from discriminatory state or local taxation, such property or franchise shall constitute a separate class of property or franchise under the laws of the State of Nebraska, and such property or franchise may not be taken into consideration in determining whether taxes are levied by valuation uniformly or proportionately upon any property or franchise, and the Legislature may enact laws which statutorily recognize such class and which tax or exempt from taxation such class of property or franchise in such manner as it determines; and (h) (4) the Legislature may provide that livestock shall constitute a separate and distinct class of property for purposes of taxation and may further provide for reciprocal and proportionate taxation of livestock located in this state for only part of a year. Each actual property tax rate levied for a governmental subdivision shall be the same for all classes of taxed property and franchises. Taxes uniform as to class of property or the ownership or use thereof may be levied by valuation or otherwise upon classes of intangible property as the Legislature may determine, and such intangible property held in trust or otherwise for the purpose of funding pension, profit-sharing, or other employee benefit plans as defined by the Legislature may be declared exempt from taxation. Taxes other than property taxes may be authorized by law. Existing revenue laws shall continue in effect until changed by the Legislature.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.
VIII-1A (1) The state shall be prohibited from levying a property tax for state purposes.
(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-1B (1) When an income tax is adopted by the Legislature, the Legislature may adopt an income tax law based upon the laws of the United States.
(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-2 (1) Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 1 or 4, of this Constitution or any other provision of this Constitution to the contrary and subject to subsection (2) of this section: (a) The property of the state and its governmental subdivisions shall constitute a separate class of property and shall be exempt from taxation to the extent such property is used by the state or governmental subdivision for public purposes authorized to the state or governmental subdivision by this Constitution or the Legislature. To the extent such property is not used for the authorized public purposes, the Legislature may classify such property, exempt such classes, and impose or authorize some or all of such property to be subject to property taxes or payments in lieu of property taxes except as provided by law; (b) the Legislature by general law may classify and exempt from taxation property owned by and used exclusively for agricultural and horticultural societies and property owned and used exclusively for educational, religious, charitable, or cemetery purposes, when such property is not owned or used for financial gain or profit to either the owner or user; (c) household goods and personal effects, as defined by law, may be exempted from taxation in whole or in part, as may be provided by general law, and the Legislature may prescribe a formula for the determination of value of household goods and personal effects; (d) the Legislature by general law may provide that the increased value of land by reason of shade or ornamental trees planted along the highway shall not be taken into account in the assessment of such land; (e) the Legislature, by general law and upon any terms, conditions, and restrictions it prescribes, may provide that the increased value of real property resulting from improvements designed primarily for energy conservation may be exempt from taxation; (f) the value of a home substantially contributed by the United States Department of Veterans Affairs for a paraplegic veteran or multiple amputee shall be exempt from taxation during the life of such veteran or until the death or remarriage of his or her surviving spouse; (g) the Legislature may exempt from an intangible property tax life insurance and life insurance annuity contracts and any payment connected therewith and any right to pension or retirement payments; (h) the Legislature may exempt inventory from taxation; (i) the Legislature may define and classify personal property in such manner as it sees fit, whether by type, use, user, or owner, and may exempt any such class or classes of property from taxation if such exemption is reasonable or may exempt all personal property from taxation; (j) no property shall be exempt from taxation except as permitted by or as provided in this Constitution; (k) the Legislature may by general law provide that a portion of the value of any residence actually occupied as a homestead by any classification of owners as determined by the Legislature shall be exempt from taxation; and (l) the Legislature may by general law, and upon any terms, conditions, and restrictions it prescribes, provide that the increased value of real property resulting from improvements designed primarily for the purpose of renovating, rehabilitating, or preserving historically significant real property may be, in whole or in part, exempt from taxation.
VIII-2A (1) The Legislature may establish bonded and licensed warehouses or storage areas for goods, wares and merchandise in transit in the state which are intended for and which are shipped to final destinations outside this state upon leaving such warehouses or storage areas, and may exempt such goods, wares and merchandise from ad valorem taxation while in such storage areas.

VIII-2A (2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-3 (1) The right of redemption from all sales of real estate, for the non-payment of taxes or special assessments of any character whatever, shall exist in favor of owners and persons interested in such real estate, for a period of not less than two years from such sales thereof. Provided, that occupants shall in all cases be served with personal notice before the time of redemption expires.

VIII-3 (2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-4 (1) Except as to tax and assessment charges against real property remaining delinquent and unpaid for a period of fifteen years or longer, the Legislature shall have no power to release or discharge any county, city, township, town, or district whatever, or the inhabitants thereof, or any corporation, or the property therein, from their or its proportionate share of taxes to be levied for state purposes, or due any municipal corporation, nor shall commutation for such taxes be authorized in any form whatever; Provided, that the Legislature may provide by law for the payment or cancellation of taxes or assessments against real estate remaining unpaid against real estate owned or acquired by the state or its governmental subdivisions.

VIII-4 (2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-5 (1) County authorities shall never assess taxes the aggregate of which shall exceed fifty cents per one hundred dollars of taxable value as determined by the assessment rolls, except for the payment of indebtedness existing at the adoption hereof, unless authorized by a vote of the people of the county.

VIII-5 (2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-6 (1) The Legislature may vest the corporate authorities of cities, towns and villages, with power to make local improvements, including facilities for providing off-street parking for vehicles, by special assessments or by special taxation of property benefited, and to redetermine and reallocate from time to time the benefits arising from the acquisition of such off-street parking facilities, and the Legislature may vest the corporate authorities of cities and villages with power to levy special assessments for the maintenance, repair and reconstruction of such off-street parking facilities. For all other corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes, but such taxes shall be uniform in respect to persons and property within the jurisdiction of the body imposing the same, except that cities and villages may be empowered by the Legislature to assess and collect separate and additional taxes within off-street parking districts created by and within any city or village on such terms as the Legislature may prescribe.

VIII-6 (2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-7 (1) Private property shall not be liable to be taken or sold for the payment of the corporate debts of municipal corporations. The Legislature shall not impose taxes
upon municipal corporations, or the inhabitants or property thereof, for corporate purposes.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-10 (1) Notwithstanding the other provisions of Article VIII and subject to subsection (2) of this section, the Legislature is authorized to substitute a basis other than valuation for taxes upon grain and seed produced or handled in this state. Existing revenue laws not inconsistent with the Constitution shall continue in effect until changed by the Legislature.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-11 (1) Subject to subsection (3) of this section, every public corporation and political subdivision organized primarily to provide electricity or irrigation and electricity shall annually make the same payments in lieu of taxes as it made in 1957, which payments shall be allocated in the same proportion to the same public bodies or their successors as they were in 1957.

(2) Subject to subsection (3) of this section, the Legislature may require each such public corporation to pay to the treasurer of any county in which may be located any incorporated city or village, within the limits of which such public corporation sells electricity at retail, a sum equivalent to five (5) per cent of the annual gross revenue of such public corporation derived from retail sales of electricity within such city or village, less an amount equivalent to the 1957 payments in lieu of taxes made by such public corporation with respect to property or operations in any such city or village. The payments in lieu of tax as made in 1957, together with any payments made as authorized in this section shall be in lieu of all other taxes, payments in lieu of taxes, franchise payments, occupation and excise taxes, but shall not be in lieu of motor vehicle licenses and wheel taxes, permit fees, gasoline tax and other such excise taxes or general sales taxes levied against the public generally. So much of such five (5) per cent as is in excess of an amount equivalent to the amount paid by such public corporation in lieu of taxes in 1957, together with any payments made as authorized in this section shall be distributed in each year to the city or village, the school districts located in such city or village, the county in which such city or village is located, and the State of Nebraska, in the proportion that their respective property tax mill levies in each such year bear to the total of such mill levies.

(3) This section is superseded by Article VIII, section 14, of this Constitution, and the payments described in subsections (1) and (2) of this section shall not be required on or after January 1, 2024.

VIII-12 (1) Notwithstanding any other provision in the Constitution and subject to subsection (3) of this section, for the purpose of rehabilitating, acquiring, or redeveloping substandard and blighted property in a redevelopment project as determined by law, any city or village of the state may, notwithstanding any other provision in the Constitution, and without regard to charter limitations and restrictions, incur indebtedness, whether by bond, loans, notes, advance of money, or otherwise.

(2) Notwithstanding any other provision in the Constitution or a local charter and subject to subsection (3) of this section, such cities or villages may also pledge for and apply to the payment of the principal, interest, and any premium on such indebtedness all taxes levied by all taxing bodies on the assessed valuation of the property in the project area portion of a designated blighted and substandard area that is in excess of the assessed valuation of such property for the year prior to such rehabilitation, acquisition, or redevelopment. Cities and villages may pledge such
taxes for a period not to exceed fifteen years, except that the Legislature may allow cities and villages to pledge such taxes for a period not to exceed twenty years if, due to a high rate of unemployment combined with a high poverty rate as determined by law, more than one-half of the property in the project area is designated as extremely blighted. When such indebtedness and the interest thereon have been paid in full, such property thereafter shall be taxed as is other property in the respective taxing jurisdictions and such taxes applied as all other taxes of the respective taxing bodies.

(3) Beginning January 1, 2024, cities and villages shall no longer have the power to incur indebtedness pursuant to subsection (1) of this section or to pledge taxes pursuant to subsection (2) of this section.

VIII-13 (1) Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 1 or 4, of this Constitution or any other provision of this Constitution to the contrary and subject to subsection (2) of this section, amendments to Article VIII of this Constitution passed in 1992 shall be effective from and after January 1, 1992, and existing revenue laws and legislative acts passed in the regular legislative session of 1992, not inconsistent with this Constitution as amended, shall be considered ratified and confirmed by such amendments without the need for legislative reenactment of such laws.

(2) This section is superseded by Article VIII, section 14, of this Constitution and shall only apply with respect to taxes imposed prior to January 1, 2024.

VIII-14

(1) Notwithstanding any other provision of this Constitution to the contrary, effective January 1, 2024, the State of Nebraska and all political subdivisions of the state shall be prohibited from imposing a tax on personal income, a tax on corporate income, a tax on personal property, a tax on real property, a tax on an inheritance from a deceased person, a tax on the estate of a deceased person, and a tax on the retail sale of goods and services except as provided in subsection (2) of this section. Any taxes described in this subsection that are imposed prior to January 1, 2024, may be collected through the end of calendar year 2024.

(2) The Legislature shall enact a consumption tax which shall apply to purchases of services and new goods, except for fuel. Such consumption tax shall begin no later than January 1, 2024. The Legislature may authorize political subdivisions of the state to enact their own consumption taxes upon such terms and conditions as the Legislature may provide.

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

A constitutional amendment to prohibit the state and all political subdivisions from imposing an income tax, a property tax, an inheritance tax, an estate tax, and a tax on retail sales of goods and services except for a consumption tax and to require the Legislature to enact a consumption tax.

For
Against.

LEGISLATIVE RESOLUTION 13CA. Introducer by Brewer, 43; Erdman, 47; Briese, 41.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:
Section 1. At the general election in November 2020 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VII, section 1:

VII-1 (1) The Legislature shall provide for the free instruction in the common schools of this state of all persons between the ages of five and twenty-one years. No more than thirty-three percent of the funding for such free instruction in the common schools shall come from property taxes.

(2) The Legislature may provide for the education of other persons in educational institutions owned and controlled by the state or a political subdivision thereof.

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

A constitutional amendment to require that no more than thirty-three percent of the funding for the free instruction in the common schools shall come from property taxes.

For

Against.

LEGISLATIVE RESOLUTION 14. Introducer by Halloran, 33; Bostelman, 23; Brewer, 43; Briese, 41; Clements, 2; Erdman, 47; Friesen, 34; Gragert, 40; Hansen, B., 16; Kolterman, 24; Lindstrom, 18; Linehan, 39; Lowe, 37; McDonnell, 5; Murman, 38; Slama, 1; Williams, 36; Hilkemann, 4.

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

1. The Legislature of the State of Nebraska hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.

2. The Clerk of the Legislature shall transmit copies of this application to the President and Secretary of the United States Senate, to the Speaker and Clerk of the United States House of Representatives, to the members of the Senate and House of Representatives from this state, and to the presiding officers of each of the legislative houses in the several states, requesting their cooperation.

3. This application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject.

LEGISLATIVE RESOLUTION 18CA. Introducer by Wayne, 13; Hunt, 8.

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

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

To amend Article III, section 12:
III-12 (1) No person shall be eligible to serve as a member of the Legislature for four years next after the expiration of three consecutive terms regardless of the district represented.

(2) Service prior to January 1, 2001, as a member of the Legislature shall not be counted for the purpose of calculating consecutive terms in subsection (1) of this section.

(3) For the purpose of this section, service in office for more than one-half of a term shall be deemed service for a term.

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

A constitutional amendment to change the limit on legislative terms from two consecutive terms to three consecutive terms.

For
Against.

LEGISLATIVE RESOLUTION 20CA. Introducer by Pansing Brooks, 28; Cavanaugh, J., 9; Hansen, M., 26; Hunt, 8; Morfeld, 46; Vargas, 7; Wishart, 27.

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

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

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

A constitutional amendment to remove provisions regarding marriage from the Constitution of Nebraska.

For
Against.

LEGISLATIVE RESOLUTION 21CA. Introducer by Briese, 41; Murman, 38; Brewer, 43; Wayne, 13.

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

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

VII-18

Notwithstanding any other provision of this Constitution to the contrary, beginning July 1, 2024, the State of Nebraska shall pay all classroom expenses, as defined by the Legislature, related to the operation of public elementary and secondary schools in this state.

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

A constitutional amendment to require the State of Nebraska to pay all classroom expenses, as defined by the Legislature, related to the operation of public elementary and secondary schools in this state beginning July 1, 2024.
For
Against.

LEGISLATIVE RESOLUTION 22CA. Introducer by Linehan, 39; at the request of the Governor.

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

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

VIII-14

(1) Notwithstanding Article VIII, section 1 or 5, of this Constitution or any other provision of this Constitution to the contrary, the total amount of property tax revenue raised by a political subdivision in any fiscal year shall not be more than three percent greater than the amount raised in the prior fiscal year, except as otherwise provided in this section.

(2) The total amount of property tax revenue raised by a political subdivision in a fiscal year may exceed the limitation in subsection (1) of this section by an amount approved by a majority of legal voters voting on the issue at an election called for such purpose upon the recommendation of a majority of the governing body of the political subdivision. Such recommendation shall include the amount by which the property tax revenue would exceed the limitation in subsection (1) of this section for the fiscal year. All costs of the election shall be paid by the political subdivision seeking to exceed such limitation.

(3) The limitation in subsection (1) of this section shall not apply to the amount of property tax revenue needed to pay the principal and interest on bonded indebtedness that has been approved according to law.

(4) The limitation in subsection (1) of this section shall not apply to the amount of property tax revenue raised by a political subdivision in any fiscal year on any real growth value within the political subdivision.

(5) For purposes of this section:

(a) Property tax revenue means revenue raised from a tax that is assessed annually upon the value of real property; and

(b) Real growth value means the increase in real property valuation due to (i) improvements to real property as a result of new construction and additions to existing buildings, (ii) any other improvements to real property which increase the value of such property, and (iii) annexation of property by the political subdivision.

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

A constitutional amendment to provide that the total amount of property tax revenue raised by a political subdivision in any fiscal year shall not be more than three percent greater than the amount raised in the prior fiscal year, except for amounts approved by voters, amounts needed to pay bonded indebtedness, and amounts raised on real growth value.

For
Against.

LEGISLATIVE RESOLUTION 24CA. Introducer by Wishart, 27; Hansen, M., 26; Hunt, 8; Morfeld, 46.
THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

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

To amend Article III, section 2:

III-2 The first power reserved by the people is the initiative whereby laws may be enacted and constitutional amendments adopted by the people independently of the Legislature. This power may be invoked by petition wherein the proposed measure shall be set forth at length. If the petition be for the enactment of a law, it shall be signed by seven percent of the registered voters of the state, and if the petition be for the amendment of the Constitution, the petition therefor shall be signed by ten percent of such registered voters. In all cases the registered voters signing such petition shall be so distributed as to include five percent of the registered voters of each of two-fifths of the counties of the state, and when thus signed, the petition shall be filed with the Secretary of State who shall submit the measure thus proposed to the electors of the state at the first general election held not less than four months after such petition shall have been filed. The same measure, either in form or in essential substance, shall not be submitted to the people by initiative petition, either affirmatively or negatively, more often than once in three years. If conflicting measures submitted to the people at the same election be approved, the one receiving the highest number of affirmative votes shall thereby become law as to all conflicting provisions. The constitutional limitations as to the scope and subject matter of statutes enacted by the Legislature shall apply to those enacted by the initiative. Initiative measures shall contain only one general subject which may include provisions that have a connection to the general subject of the measure. The Legislature shall not amend, repeal, modify, or impair a law enacted by the people by initiative, contemporaneously with the adoption of this initiative measure or at any time thereafter, except upon a vote of at least two-thirds of all the members of the Legislature.

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

A constitutional amendment to change the one-subject requirement for initiative measures.

For

Against.

LEGISLATIVE RESOLUTION 26CA. Introducer by Lindstrom, 18.

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

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

To amend Article III, section 24:

III-24 (1) Except as provided in this section, the Legislature shall not authorize any game of chance or any lottery or gift enterprise when the consideration for a chance to participate involves the payment of money for the purchase of property, services,
or a chance or admission ticket or requires an expenditure of substantial effort or time.

(2) The Legislature may authorize and regulate a state lottery pursuant to subsection (3) of this section and other lotteries, raffles, and gift enterprises which are intended solely as business promotions or the proceeds of which are to be used solely for charitable or community betterment purposes without profit to the promoter of such lotteries, raffles, or gift enterprises.

(3) (a) The Legislature may establish a lottery to be operated and regulated by the State of Nebraska. The proceeds of the lottery shall be appropriated by the Legislature for the costs of establishing and maintaining the lottery and for the following purposes, as directed by the Legislature:

(i) The first five hundred thousand dollars after the payment of prizes and operating expenses shall be transferred to the Compulsive Gamblers Assistance Fund;

(ii) Forty-four and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska Environmental Trust Fund to be used as provided in the Nebraska Environmental Trust Act;

(iii) Forty-four and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be used for education as the Legislature may direct;

(iv) Ten percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska State Fair Board if the most populous city within the county in which the fair is located provides matching funds equivalent to ten percent of the funds available for transfer. Such matching funds may be obtained from the city and any other private or public entity, except that no portion of such matching funds shall be provided by the state. If the Nebraska State Fair ceases operations, ten percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the General Fund; and

(v) One percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Compulsive Gamblers Assistance Fund.

(b) No lottery game shall be conducted as part of the lottery unless the type of game has been approved by a majority of the members of the Legislature.

(4) The Legislature may authorize, regulate, and provide for the taxation of sports wagering within the State of Nebraska.

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

(6) This section shall not apply to any law which is enacted contemporaneously with the adoption of this subsection or at any time thereafter and which provides for the licensing, authorization, regulation, or taxation of all forms of games of chance when such games of chance are conducted by authorized gaming operators within a licensed racetrack enclosure.
Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to allow the Legislature to authorize sports wagering subject to taxation and regulation by the Legislature.

For
Against.

LEGISLATIVE RESOLUTION 27CA. Introducer by Hansen, M., 26.

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

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

To amend Article III, section 29:

III-29 (1). In order to insure continuity of state and local governmental operations in periods of emergency resulting from enemy attack upon the United States, or the imminent threat thereof, or resulting from a pandemic, the Legislature shall have the power and the immediate duty, notwithstanding any other provision to the contrary in this Constitution, to provide by law for:

(a) The prompt and temporary succession to the powers and duties of all public offices, of whatever nature and whether filled by election or appointment, the incumbents of which, after an attack or during or after a pandemic, may be or become unavailable or unable to carry on the powers and duties of such offices;

(b) The convening of the Legislature into general or extraordinary session, upon or without call by the Governor, during or after a war or enemy caused disaster occurring in the United States, or during or after a pandemic; and, with respect to any such emergency session, the suspension or temporary change of the provisions of this Constitution or of general law relating to the length and purposes of any legislative session or prescribing the specific proportion or number of legislators whose presence or vote is necessary to constitute a quorum or to accomplish any legislative act or function;

(c) The selection and changing from time to time of a temporary state seat of government, of temporary county seats, and of temporary seats of government for other political subdivisions; to be used if made necessary by enemy attack, or imminent threat thereof, or if made necessary by a pandemic;

(d) The determination, selection, reproduction, preservation, and dispersal of public records necessary to the continuity of governmental operations in the event of enemy attack, or imminent threat thereof, or in the event of a pandemic; and

(e) Such other measures and procedures as may be necessary and proper for insuring the continuity of governmental operations in the event of enemy attack, or imminent threat thereof, or in the event of a pandemic;

(2). In the exercise of the powers hereinbefore conferred, the Legislature shall in all respects conform to the requirements of this Constitution except to the extent that, in the judgment of the Legislature, so to do would be impracticable or would admit of undue delay.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:
A constitutional amendment to provide legislative authority in emergencies resulting from a pandemic.

For
Against.

**LEGISLATIVE RESOLUTION 28.** Introducer by Hilkemann, 4.

WHEREAS, the Nebraska Unicameral Legislature, at various times and during various sessions and acting with the best of intentions, previously made applications to the United States Congress to call one or more conventions to propose amendments concerning specific subjects pursuant to Article V of the United States Constitution; and

WHEREAS, a Legislature may not bind a future Legislature for the very reason that in the course of human events new priorities emerge, what represented positive adaptation at a particular time ceases to do so, and the will of the people of the State of Nebraska changes; and

WHEREAS, no member of the current Legislature has had an opportunity to consider or take a position on the aforementioned resolutions, indeed may not even be aware of their contents; and

WHEREAS, former Chief Justice of the Supreme Court Warren E. Burger, former Associate Justice of the Supreme Court Arthur Goldberg, and other leading constitutional scholars agree that such a convention may propose sweeping changes to the Constitution, any limitations or restrictions purportedly imposed by the states in requesting the convention notwithstanding, thereby creating imminent peril to the well-established rights of citizens and the duties of various levels of government; and

WHEREAS, the United States Constitution has been amended many times in the history of this nation and may be amended many more times without the need to resort to a constitutional convention, and has been interpreted for over 200 years and found to be a sound document which protects the lives and liberties of the citizens of the United States; and

WHEREAS, there is no need for opening the United States Constitution to sweeping changes; and

WHEREAS, great danger might arise from changes to the United States Constitution, creating legal chaos in this nation and another two centuries of litigation over interpretation of its meaning.

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

1. That any and all resolutions previously passed by the Nebraska Unicameral Legislature petitioning Congress to call a federal constitutional convention are hereby rescinded and deemed null and void.

2. That any and all resolutions passed by the Nebraska Unicameral Legislature during or after the current legislative session that petition Congress to call a federal constitutional convention shall be automatically rescinded and deemed null and void if a convention is not called on or before the seventh anniversary of the date the last legislative vote is taken on such resolution.

**LEGISLATIVE RESOLUTION 48.** Introducer by Bostelman, 23.

WHEREAS, the Legislature has long recognized that it is in the best interest of the public to maintain low-cost, reliable electric service; and
WHEREAS, the State of Nebraska and other states experienced extreme cold
temperatures during February of 2021; and
WHEREAS, those temperatures caused greater energy needs throughout Nebraska
and surrounding states; and
WHEREAS, public power districts serving Nebraska residents participate in the
Southwest Power Pool, which is a regional transmission organization; and
WHEREAS, the increased energy needs across the region served by the Southwest
Power Pool caused public power districts in Nebraska to receive requests to load
shed or reduce electricity usage; and
WHEREAS, residents throughout the state experienced power outages as a result
of the responses from the public power districts to those requests; and
WHEREAS, it is imperative that the Legislature act on behalf of the residents of
Nebraska to understand the circumstances and practices surrounding the power
outages.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE
HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature recognizes the need for an understanding of the reasons for
and circumstances surrounding the interruptions in electricity to residents in the
state.
2. That the Natural Resources Committee of the Legislature provide a report of its
findings of the reasons for and circumstances surrounding the power outages
experienced by Nebraskans.

LEGISLATIVE RESOLUTION 49. Introducer by Wayne, 13.

WHEREAS, Nebraskans receive natural gas service from a wide variety of utility
providers; and
WHEREAS, the State of Nebraska and other states experienced extreme cold
temperatures during February of 2021; and
WHEREAS, these temperatures caused greater natural gas needs throughout
Nebraska and surrounding states; and
WHEREAS, some natural gas utilities in Nebraska serve customers in multiple
states across the region; and
WHEREAS, the greater demand for energy across the region caused natural gas
shortages and increases in natural gas prices; and
WHEREAS, it is imperative that the Legislature understand the effect of the
extreme cold temperatures during February of 2021 on natural gas service in
Nebraska.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE
HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature recognizes the need for an understanding of the reasons for
and circumstances surrounding the natural gas shortages.
2. That the Urban Affairs Committee of the Legislature provide a report of its
findings of the reasons for and circumstances surrounding the natural gas shortages.

LEGISLATIVE RESOLUTION 85. Introducer by Sanders, 45; Aguilar, 35;
Albrecht, 17; Arch, 14; Blood, 3; Bostelman, 23; Brandt, 32; Brewer, 43;
Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Day, 49; DeBoer, 10; Dorn, 30;
Erdman, 47; Friesen, 34; Geist, 25; Gragert, 40; Halloran, 33; Hansen, B., 16;
Hansen, M., 26; Hilkemann, 4; Hughes, 44; Hunt, 8; Lathrop, 12; Lindstrom, 18;
Lowe, 37; McDonnell, 5; McKinney, 11; Morfeld, 46; Moser, 22; Pansing Brooks,
WHEREAS, The United States of America consists of people from all over the world who have chosen to make this country their home; and
WHEREAS, Nebraska communities were founded and established by people of a wide variety of races, ethnicities, ages, religions, and backgrounds; and
WHEREAS, Nebraskans value residents of all religions, ancestries, and ethnicities; and
WHEREAS, Nebraska is a welcoming state for people from diverse backgrounds, including Asian-Americans; and
WHEREAS, since the 2010 census, the number of Asian-Americans living in Nebraska has grown by over twenty-three percent, from approximately 33,000 people in 2010 to nearly 41,000 people in 2017; and
WHEREAS, Asian-Americans and people of Asia-Pacific descent live and work in communities all across this state, contribute to the economy of this state, and have children who attend public and private schools in this state; and
WHEREAS, in both 2018 and 2019, according to the Nebraska Crime Commission, there were zero reported hate crimes against Asian-Americans in Nebraska; and
WHEREAS, there are significant and growing concerns in the Asian-American community based upon recent national reports of a rise in anti-Asian-American hate crimes; and
WHEREAS, Nebraskans reject racism and bigotry and affirm our commitment to a diverse, supportive, inclusive, and protective community and state; and
WHEREAS, Nebraskans want to reassure residents and visitors that this state celebrates diversity and inclusion; and
WHEREAS, Nebraskans will not tolerate any prejudice, racism, bigotry, hatred, bullying, or violence towards any groups within our state; and
WHEREAS, Nebraskans extend our sympathy, empathy, and support to any victim of discrimination or violence based on prejudice or race-motivated hate.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature rejects hate, discrimination, and acts of violence, including violence against Asian-Americans, based on race, national origin, or religion.

LEGISLATIVE RESOLUTION 102. Introducer by Wishart, 27; Blood, 3; Brandt, 32; Cavanaugh, J., 9; Cavanaugh, M., 6; DeBoer, 10; Hansen, M., 26; Hunt, 8; Lathrop, 12; McCollister, 20; McKinney, 11; Morfeld, 46; Pahls, 31; Pansing Brooks, 28; Vargas, 7; Walz, 15; Wayne, 13; Bostar, 29.

WHEREAS, according to a warning published on November 5, 2019, about the effects of climate change, signed and supported by over eleven thousand scientists, the climate crisis "is more severe than anticipated, threatening natural ecosystems and the fate of humanity." Later in the statement, the scientists state that "climate chain reactions could cause significant disruptions to ecosystems, society, and economies, potentially making large areas of Earth uninhabitable", and that because of the climate crisis, humanity will face "untold suffering"; and
WHEREAS, the United States Environmental Protection Agency states that intense weather phenomena, including large storms and heat waves, are likely to occur more
frequently because of the climate and ecological crisis. Major storms lead to a loss of property, and both storms and heat waves may lead to death; and

WHEREAS, the Fourth National Climate Assessment states that over time these heat waves increase drought and wildfire risks. Such heat waves and droughts have accelerated the depletion of water supplies, contributing to approximately ten billion dollars in losses to agriculture; and

WHEREAS, according to the Union of Concerned Scientists, many forests are catching fire during wildfire seasons due to changes in temperature, precipitation levels, and soil moisture resulting from global warming. Hotter temperatures in the spring and summer and the fact that snow is melting earlier in the spring are likely to cause longer wildfire seasons and cause wildfires to be more intense and burn for longer; and

WHEREAS, according to the National Centers for Environmental Information, which is part of the National Oceanic and Atmospheric Administration, there were eleven major wildfires between 2000 and 2017 in the United States of America. In that eighteen-year period, both the number of deaths and the financial damage caused by each wildfire dramatically increased. In the first wildfire of 2000, no one died, and the cost was 1.6 billion dollars. In the last wildfire of 2017, fifty-four people died, and the cost was 18.7 billion dollars; and WHEREAS, due to warmer land temperatures in northern latitudes, more warm air is being pushed north, which is disrupting the polar vortex. Because of this, arctic air is sometimes pushed further south than normal, causing cold snaps. In February of 2021, many Midwestern and Southern states experienced a cold snap with record low temperatures that led to millions of individuals losing electricity, millions of dollars in damages, and at least 58 deaths; and WHEREAS, in analyzing the Great Plains, a 2014 report by the University of Nebraska Lincoln states, "The region frequently experiences a wide range of weather and climate hazards such as tornadoes, droughts, floods, and other severe weather events that result in significant economic losses and stresses to a fragile ecosystem. Climate change will further exacerbate those stresses and increase economic losses in the future.". The report also predicts that Nebraska will experience between thirteen and twenty-five more 100-degree days per year in coming years; and

WHEREAS, the Fourth National Climate Assessment also states that flooding might increase across the United States of America, including in areas where precipitation is expected to decrease. All flood types, including flash floods, urban flooding, river flooding, and coastal flooding, are, to different degrees, affected by the climate. Therefore, the risks from future floods are major; and

WHEREAS, according to the National Oceanic and Atmospheric Administration, sea levels are rising at a rate of about one-eighth of an inch per year. The two major causes of rising global sea levels are oceanic expansions due to the warming of oceans and increased melting of glaciers and ice sheets. The oceans are absorbing about ninety percent of the increased atmospheric heat that comes from human emissions. The National Oceanic and Atmospheric Administration goes on to state that "with continued ocean and atmospheric warming, sea levels will likely rise for many centuries at rates higher than that of the current century"; and

WHEREAS, higher sea levels cause deadly and destructive storm surges to push farther inland, which means there will be more nuisance flooding, which is estimated to be three hundred to nine hundred percent more frequent in United States coastal communities than it was fifty years ago. Nearly forty percent of the population of the United States lives in such coastal communities. According to the U.N. Atlas of the Oceans, eight out of the ten largest cities in the world are close to a coast; and
WHEREAS, according to a 2014 report published by the Intergovernmental Panel on Climate Change, animals have an increased risk of extinction because of the climate crisis; and

WHEREAS, a report by the University of Nebraska-Lincoln assessed that disruptions in the climate have decreased agricultural yields in Nebraska over the last forty years and are predicted to decrease agricultural yields significantly over the next twenty-five years; and

WHEREAS, the State of Nebraska has contributed to the climate crisis, but has done little to nothing to slow the effects.

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

1. That the Legislature acknowledges that we are in the middle of a climate and ecological crisis caused by humans.

2. That the Legislature has a moral obligation to take steps to combat the climate and ecological crisis.

LEGISLATIVE RESOLUTION 107. Introducer by Groene, 42; Aguilar, 35;
Albrecht, 17; Arch, 14; Bostelman, 23; Brandt, 32; Briese, 41;
Brandt, 32; Brewer, 43; Briese, 41;
Clements, 2; Dorn, 30; Erdman, 47; Flood, 19; Friesen, 34; Geist, 25; Gragert, 40;
Halloran, 33; Hansen, B., 16; Hilgers, 21; Hilkemann, 4; Hughes, 44; Lindstrom, 18;
Linehan, 39; Lowe, 37; McDonnell, 5; Moser, 22; Murman, 38; Pahls, 31; Sanders, 45;
Slama, 1; Stinner, 48; Williams, 36.

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

1. That we hereby reaffirm our solemn oaths of office by expressing a firm resolution to maintain and defend the Constitution of the United States and the Constitution of Nebraska against every act of aggression whether foreign or domestic, including every act of unconstitutional abuse of power arising from the state or federal government.

2. That we are greatly alarmed that a factious and contentious spirit has recently manifested itself in the federal government, emanating both from the legislative and executive branches, with the desire to enlarge their powers by forced constructions of the Constitution of the United States to expand certain general phrases in order to destroy their meaning and effect. Such phrases include: "Congress shall make no law . . . prohibiting the free exercise [of religion] . . . ", " . . . the right of the people to keep and bear Arms, shall not be infringed.", and "The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof . . . ". This design appears to have no other end except to consolidate the states by degrees into one sovereignty, the obvious tendency and inevitable consequence of which would be to obliterate completely the rights of sovereignty by the several states, and to destroy the rights and liberties of the people, as explicitly granted to them by the Ninth and Tenth Amendments to the Constitution of the United States.

3. That we in particular protest the ominous plan revealed by the executive branch to take unilateral action in explicit violation of the Second Amendment to the Constitution of Nebraska: "All persons are by nature free and independent, and have certain inherent and inalienable rights; among these are . . . the right to keep and bear arms for security or defense of self, family, home, and others . . . ".

4. That we further protest against federal government actions which seek to punish traditional religious beliefs about the sanctity of life and sexual mores. These actions
are in direct violation of the First Amendment to the Constitution of the United States, which states that "Congress shall make no law . . . prohibiting the free exercise [of religion] . . .", and of the Constitution of Nebraska which states that "All persons have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences. . . . [N]or shall any interference with the rights of conscience be permitted."

5. That we express distress at the prospect of proposed federal legislation designed to usurp the election process that was constitutionally left primarily to the legislatures of the several states, and only secondarily to Congress as Alexander Hamilton argues in Federalist Paper Nos. 59-61. These bills would dictate uniform election rules in all fifty states and eviscerate protections such as voter identification requirements, periodic updates of voter files, and restrictions on fraud-prone ballot harvesting. They also seek to steal the right and privilege of redistricting away from state legislatures and instead empower unelected commissions with this ability. Therefore, we affirm that this right must remain with elected state officials whose power is granted by the people themselves.

6. That we also protest the stated goal by the executive branch of the federal government to restrict the private use of at least thirty percent of America's lands and waters by 2030. As evidence, we expound section 1 of article 1 of the Constitution of Nebraska, "To secure these rights, and the protection of property, governments are instituted among people, deriving their just powers from the consent of the governed.". In concurrence, the Fifth Amendment to the Constitution of the United States declares: "No person shall be . . . deprived of life, liberty, or property, without due process of law . . .". The acquisition, possession, and use of private property for private purposes is inextricable from the right of liberty and the obtainment of happiness. Such an appropriation of property is a gross violation of the fundamental principles of our state and nation.

7. That we strongly affirm the sacred and constitutional right of all persons of the liberty to decide what, if any, vaccination is necessary for their health or the health of their family. We explicitly reject the idea of vaccine passports and other federal mandates that restrain a person's right to peaceably assemble or restrict their freedom to travel or conduct commerce.

8. That the Legislature requests cooperation from the Governor of Nebraska, the Nebraska Attorney General, the President of the United States, the President pro tempore of the United States Senate, the Secretary of the United States Senate, the Speaker of the United States House of Representatives, the Clerk of the United States House of Representatives, and the presiding officers of each of the legislative houses in the several states in defending the Constitution of the United States, the states, and the people against federal overreach.

9. That the Clerk of the Legislature shall transmit copies of this resolution to the Governor of Nebraska, the Nebraska Attorney General, the President of the United States, the President pro tempore of the Senate, the Secretary of the United States Senate, the Speaker of the United States House of Representatives, the Clerk of the United States House of Representatives, and to the presiding officers of each of the legislative houses in the several states.

LEGISLATIVE RESOLUTION 118. Introducer by Hunt, 8.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That we hereby reaffirm our solemn oaths of office by expressing a firm resolution to defend the United States Capitol, the sacred symbol of our democracy, against every act of sedition and insurrection, whether from citizens of the United States or their elected officials.

2. That we are greatly alarmed that a factious and treasonous spirit manifested on January 6, 2021, in a violent attack on the United States Capitol in Washington, D.C., and that such insurrection was spurred by influences emanating from some members of the United States Congress and former President of the United States, Donald J. Trump, with a desire to sow discord among the citizenry and to destroy the outcome of the free and fair election that resulted in the election of President Joseph R. Biden.

3. That we further protest against the actions of the mob of citizens who committed countless criminal acts resulting in incalculable property damage; caused physical injuries to many, including brave first responders; and brought about tragic loss of life, including an officer of the United States Capitol Police. We also protest the words of elected officials in the state legislatures and the United States Congress which sought to incite such mob.

4. That we express distress at the knowledge that this insurrection was fueled by lies and misinformation and an official abuse of power by some local, state, and federal leaders, including Nebraska's Attorney General, Nebraska's Secretary of State, and Nebraska's Governor, who used the powers and privileges of their offices, granted by the people themselves, as well as state resources, to file frivolous partisan lawsuits designed to usurp the democratic process.

5. That the Legislature requests cooperation from the Governor of Nebraska, the Nebraska Attorney General, the President of the United States, the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, the Clerk of the United States House of Representatives, and the presiding officers of each of the legislative houses in the several states in defending the United States Capitol Building and our democratic election process.

6. That the Clerk of the Legislature shall transmit copies of this resolution to the Governor of Nebraska, the Nebraska Attorney General, the President of the United States, the President pro tempore of the Senate, the Secretary of the United States Senate, the Speaker of the United States House of Representatives, the Clerk of the United States House of Representatives, and to the presiding officers of each of the legislative houses in the several states.

LEGISLATIVE RESOLUTION 121. Introducer by Hunt, 8.

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

1. That we hereby reaffirm our solemn oaths of office by expressing a firm resolution to maintain and defend the American people and the right of all Nebraskans to an urgent, robust, and professional response to the public health and attendant economic crises caused by the COVID-19 pandemic.

2. That we are greatly alarmed that a factious and contentious spirit manifested itself in some former and current members of the state and federal governments during the coronavirus emergency of 2019 and 2020, emanating both from the legislative and executive branches, with the desire to obstruct the dissemination of scientific evidence regarding the severity of the COVID-19 pandemic and methods for its mitigation. This design appears to have no other end except to signal an
adherence to principles of personal liberty without regard for one's fellow human beings, the obvious tendency and inevitable consequence of which would be to contribute to hundreds of thousands of preventable deaths in the several states.

3. That we extend our appreciation to the membership of the current federal executive and legislative branches for decisive action taken to produce pandemic relief policies, which are grounded in best practices in science, medicine, and public health and promote common purpose, trust, transparency, and accountability.

4. That we express appreciation for the efforts of Nebraska's mayors, city councils, public health workers and officials, and other local government workers who adhered to scientific best practices in implementing mask requirements and safety measures designed to protect our citizenry. We similarly appreciate the efforts of the University of Nebraska Medical Center and all frontline healthcare workers who placed themselves at extraordinary risk in serving the public during the COVID-19 pandemic.

5. That we celebrate the widespread accessibility of the COVID-19 vaccination available to Americans at no cost and acknowledge that society has reached this remarkable achievement as a result of the diligent and sometimes thankless work of the scientists, doctors, and frontline workers, each of whom played a vital role in reaching this point.

6. That the Legislature requests cooperation from the Governor of Nebraska, the Nebraska Attorney General, the President of the United States, the President pro tempore of the United States Senate, the Secretary of the United States Senate, the Speaker of the United States House of Representatives, the Clerk of the United States House of Representatives, and the presiding officers of each of the legislative houses in the several states in defending the Constitution of the United States, the several states, and the American people against future pandemics.

7. That the Clerk of the Legislature shall transmit copies of this resolution to the Governor of Nebraska, the Nebraska Attorney General, the President of the United States, the President pro tempore of the Senate, the Secretary of the United States Senate, the Speaker of the United States House of Representatives, the Clerk of the United States House of Representatives, and to the presiding officers of each of the legislative houses in the several states.

LEGISLATIVE RESOLUTION 130. Introducer by Hunt, 8.

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

1. That we hereby reaffirm our solemn oaths of office by expressing a firm resolution to maintain and defend the viability of our planet and its natural resources from the urgent existential threat of climate change and to support legislation that will move Nebraska toward a clean energy economy.

2. That we are greatly alarmed that a faction of state and federal legislative leaders have failed to acknowledge the established science of climate change, higher frequency of extreme weather events, and growing effects of climate change on the economy of the United States. Further, this failure by state and federal legislative leaders is a betrayal of the United States Declaration of Independence, which declares a right to "life, liberty and the pursuit of happiness", which is contingent upon a habitable planet and a natural environment capable of sustaining human, animal, and plant life.
3. That we express distress at the Donald J. Trump presidential administration's actions to abandon protections for public lands and roll back Environmental Protection Agency rules.

4. That we are grateful for President Joseph R. Biden's leadership in swiftly and decisively taking action to revoke the permit for the dangerous proposed Keystone XL Pipeline construction project, which would threaten to wreak environmental havoc on its path through Nebraska and his directives issued to protect air and water quality and public lands across the nation.

5. That the Legislature requests cooperation from the Governor of Nebraska, the Nebraska Attorney General, the President of the United States, the President pro tempore of the United States Senate, the Secretary of the United States Senate, the Speaker of the United States House of Representatives, the Clerk of the United States House of Representatives, and the presiding officers of each of the legislative houses in the several states in taking decisive action to minimize the impacts of climate change we are already facing and to prevent further damage to our planet and ecosystems.

6. That the Clerk of the Legislature shall transmit copies of this resolution to the Governor of Nebraska, the Nebraska Attorney General, the President of the United States, the President pro tempore of the Senate, the Secretary of the United States Senate, the Speaker of the United States House of Representatives, the Clerk of the United States House of Representatives, and to the presiding officers of each of the legislative houses in the several states.

LEGISLATIVE RESOLUTION 159. Introducer by Blood, 3.

WHEREAS, the economy of the State of Nebraska is heavily reliant on agriculture and specifically, the production of ethanol; and

WHEREAS, the AltEn, LLC, (AltEn) ethanol production plant at Mead, Nebraska, has been using pesticide and fungicide treated seed as the raw material for the production of ethanol, leaving behind toxic byproducts which are unfit for animal consumption or soil treatment and which have been shown to cause significant disruptions, including death, in the life cycle of invertebrates, fish, reptiles, amphibians, insects, birds, and mammals; and

WHEREAS, the contaminated byproducts created by this process have been causally linked to the destruction of entire colonies of bees and other pollinators which are vital to the health of the agricultural industry and provide important bioindicators for other species; and

WHEREAS, the AltEn family of companies includes several limited liability companies which makes it difficult to identify exactly which Kansas entity is actually doing business in Nebraska, which is further complicated by the involvement of Mead Cattle Company, LLC, and Green Cycles, LLC, the biochar manufacturing enterprise of AltEn, which have been engaged in either the manufacturing of the ethanol, the dispersal of the wet distiller's grain, or the manufacture of biochar; and

WHEREAS, leaking liners under the retention ponds at the facility which are associated with Mead Cattle Company LLC, have contaminated and continue contaminating the water table surrounding the facility to a depth of 29 feet; and

WHEREAS, it is estimated that over 84,000 tons of pesticide- and fungicide-contaminated material remain on the AltEn site, exposing residents of Mead and the surrounding rural community to continued exposure to airborne contaminants, with
few studies indicating what the long-term ramifications of that exposure could be; and

WHEREAS, in 2018 and 2019, AltEn delivered over 29,000 tons of contaminated distillers grain, referred to as soil conditioner, to area farmers who were unaware of the risk of applying of that product to the land, and such product was applied to land or stockpiled on various sites around Saunders County, including the city of Wahoo and Lake Wanahoo; and

WHEREAS, a late February, 2021, freeze resulted in the draining of over four million gallons of pesticide-contaminated water and manure across lands belonging to the University of Nebraska and spread miles downstream from the AltEn facility; and

WHEREAS, AltEn has not demonstrated a legal plan or procedure to address the leaking lagoons, the stockpiles of contaminated distiller's grain, or any other contamination resulting from byproducts related to its operations; and

WHEREAS, floods which occurred in both 2019 and 2021 have spread these contaminants far beyond the immediate vicinity of AltEn and may have already contaminated, and have the potential to further contaminate, the downstream wellfield locations for the city of Lincoln's drinking water; and

WHEREAS, the University of Nebraska has indicated that studies on the extensive pollution in the region associated with the AltEn family of enterprises will require at least ten years to conduct and may require expenditure of ten million dollars or more; and

WHEREAS, AltEn has an extensive list of violations on file with the Nebraska Department of Environment and Energy. This demonstrates a disrespect for the agency and a lack of appropriate enforcement actions available to force AltEn to correct these violations; and

WHEREAS, livestock at Mead Cattle Company LLC, have been exposed to airborne pesticide and fungicide, which may contaminate the food supply for American citizens who come into contact with meat processed through that feedlot, potentially affecting an extremely large number of individuals; and

WHEREAS, representatives of the AltEn family of companies failed to testify at hearings on Legislative Bill 507 and Legislative Bill 634, both introduced in 2021, to answer questions about the disposal of waste stockpiled at the AltEn site or any of the other actual or potential damages related to AltEn operations; and

WHEREAS, the liabilities associated with AltEn operations are immense, and it appears the company is unable to meet its obligations associated with the appropriate disposal of contaminated waste piles, remediation of leaking lagoons and surrounding land and water contamination, damage to public and private property, or injuries to humans and animals, therefore imposing that financial burden on the taxpayers of the State of Nebraska; and

WHEREAS, seed companies which received a financial benefit from the process AltEn utilizes to create ethanol with discarded treated seed should be engaged in helping develop solutions to the contamination and damage caused by such process; and

WHEREAS, AltEn has failed to pay back taxes on the plant, leaving the residents of Saunders County to pick up the burden through additional taxation; and

WHEREAS, mechanics liens against the properties are a further indication that AltEn is unlikely to be able to financially afford even rudimentary cleanup on the site; and
WHEREAS, negative publicity associated with the AltEn, LLC, ethanol plant could damage the reputation of other ethanol manufacturers, who follow sound science and appropriate safeguards to prevent environmental degradation.

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

1. That the Legislature hereby calls for the Executive Board of the Legislative Council to meet forthwith and appoint a special committee of the Legislature to be known as AltEn LLC, Ethanol Plant at Mead Special Investigative and Oversight Committee of the Legislature. The committee shall consist of nine members of the Legislature appointed by the executive board. Members shall include the chairperson of the Appropriations Committee or the chairperson's designee, the chairperson of the Natural Resources Committee or the chairperson's designee, the chairperson of the Judiciary Committee or the chairperson's designee, the chairperson of the Health and Human Services or the chairperson's designee, the chairperson of the Agriculture Committee or the chairperson's designee, one member representing the city of Omaha, one member representing the city of Lincoln, and one additional member from the Judiciary Committee and the Natural Resources Committee. The committee shall elect a chairperson and a vice-chairperson from the membership of the committee. The Executive Board may provide the committee with a legal counsel, committee clerk, and other staff as required by the committee from existing legislative staff. The executive board may authorize the committee to hire outside legal counsel, consultants, and investigators as required by the committee. The committee may hold hearings and issue subpoenas to compel the attendance of witnesses and the production of any papers, books, accounts, documents, and testimony.

2. The AltEn LLC, Ethanol Plant at Mead Special Investigative and Oversight Committee of the Legislature is hereby authorized to study and investigate the following: (a) Records associated with the construction and operation of Mead Cattle Company LLC, AltEn LLC, and associated companies; (b) The regulatory rules and regulations associated with the operation of these entities by the federal government and the State of Nebraska; (c) Whether AltEn followed the applicable rules and regulations governing their operation; (d) Whether revisions to statutes or rules and regulations are needed to ensure compliance with applicable standards, including increased penalties and streamlined enforcement mechanisms; (e) Whether the contaminated bioproducts from this process have led to negative impacts on human health; (f) Whether entities and individuals who benefited from this process have any liability to pay for damages resulting from it; (g) The timelines associated with the production of ethanol from treated seeds and biochar at the site; (h) Records associated with inspections at the facility by state inspectors and what enforcement actions were taken; (i) How and why pesticide-contaminated distiller's grain was permitted to be applied to farm fields as a soil conditioner and whether those fields are being used to produce food crops today; (j) Whether any contamination exists for the drinking water of the cities of Omaha and Lincoln and any scientific studies addressing neonicotinoid poisoning and the beneficial uses of neonicotinoids; (k) The cost estimates associated with removal of contaminated seed stored in warehouses at the AltEn site and elsewhere, the costs to dispose of the tons of contaminated material remaining on the AltEn site, the costs to treat waters in the extensive lagoon system on the site, the costs of additional testing associated with water wells in the vicinity, whether there are costs from damage to human health, whether there are costs to remediate damage to neighboring properties, and any other costs or expenses which are unanticipated but may be exposed through the course of
investigation; (l) Any existing statutes and rules and regulations related to the disposal of pesticides in any form; and (m) Any other issues that may be necessary or appropriate to a full and complete examination of this matter.

3. The special committee shall issue a preliminary report with its findings and recommendations to the Legislature no later than December 1, 2021. At that time the estimated costs for remediation should be available to the Legislature and the Appropriations Committee of the Legislature can develop a budget for remediation in the event that state funds are required to clean up the AltEn site. The special committee shall issue a final report of its findings and recommendations by December 1, 2022. The special committee shall terminate on December 31, 2022.

LEGISLATIVE RESOLUTION 242. Introducer by Brewer, 43; Brandt, 32; Clements, 2; Erdman, 47; Gragert, 40; Halloran, 33.

WHEREAS, congressional efforts in the One Hundred Sixteenth United States Congress focused on the support and expansion of small meat processors; and
WHEREAS, markets available to farmers and ranchers in Nebraska should be expanded by federal and state legislation without compromising food safety standards or market access under existing trade agreements; and
WHEREAS, electronic commerce and other innovations offer opportunities for bringing new customers to small meat processors; and
WHEREAS, following the enactment of certain federal laws, a state meat and poultry inspection program in Nebraska approved by the Food Safety and Inspection Service of the United States Department of Agriculture would allow meat and poultry grown and processed in Nebraska to be sold in other states; and
WHEREAS, entry into the market for small meat processors can be eased through grants that lower the cost of food safety regulations, feasibility studies, overtime fees, federal inspections, and training; and
WHEREAS, the federal Consolidated Appropriations Act, 2021, includes grants totaling sixty million dollars for small meat processors to update and expand their facilities; and
WHEREAS, up to two hundred thousand dollars of such grant money can be used to update or expand a small meat processing facility to meet the inspection standards of the United States Department of Agriculture; and
WHEREAS, expanding market options for meat products through these federal acts and programs will be beneficial for livestock producers in Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature urges the congressional delegation of Nebraska to pass legislation that supports farmers, ranchers, and small meat processors without compromising food safety standards and foreign market access.
2. That a copy of this resolution be delivered to each member of the Nebraska congressional delegation.

LEGISLATIVE RESOLUTION 248. Introducer by Erdman, 47.

WHEREAS, Legislative District 47 consists of ten counties in Nebraska's Panhandle, including Arthur, Banner, Box Butte, Cheyenne, Deuel, Garden, Keith, Kimball, Morrill, and Sioux; and
WHEREAS, the Second Amendment to the Constitution of the United States provides for the right of the people to keep and to bear arms and that such right shall not be infringed; and

WHEREAS, the people of Legislative District 47 are strong supporters of our freedoms and understand that the right to keep and bear arms is a fundamental right of our republic guaranteed to the citizens by the Second Amendment; and

WHEREAS, all ten counties of Legislative District 47 have embraced this right of the people to keep and bear arms by passing resolutions and ordinances declaring these counties as Second Amendment sanctuary counties; and

WHEREAS, this right to keep and bear arms is reaffirmed in Article 1, section 1, of the Constitution of Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature recognizes the people of Legislative District 47 as strong supporters of the Second Amendment.
2. That the Legislature recognizes the counties of Arthur, Banner, Box Butte, Cheyenne, Deuel, Garden, Keith, Kimball, Morrill, and Sioux as Second Amendment sanctuary counties, whereby the right to keep and bear arms shall be upheld and honored.
3. That copies of this resolution be sent to the county boards of Arthur, Banner, Box Butte, Cheyenne, Deuel, Garden, Keith, Kimball, Morrill, and Sioux counties.

LEGISLATIVE RESOLUTION 249. Introducer by Friesen, 34.

WHEREAS, Legislative District 34 consists of Nance, Merrick, Hamilton, and parts of Hall counties; and

WHEREAS, the Second Amendment to the Constitution of the United States provides that it is the right of the people to keep and bear arms and that such right shall not be infringed; and

WHEREAS, the people of Legislative District 34 are strong supporters of our freedoms and the Second Amendment; and

WHEREAS, Nance, Merrick, Hamilton, and Hall counties have joined many other counties and states and passed ordinances declaring that these counties are Second Amendment sanctuary counties.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature recognizes Nance, Merrick, Hamilton, and Hall counties as Second Amendment sanctuary counties and as strong supporters of the Second Amendment.
2. That copies of this resolution be sent to the county boards of Nance, Merrick, Hamilton, and Hall counties.

LEGISLATIVE RESOLUTION 253. Introducer by Hansen, B., 16.

WHEREAS, Legislative District 16 consists of Washington, Burt, and Cuming counties; and

WHEREAS, the Second Amendment to the Constitution of the United States provides that it is the right of the people to keep and bear arms and that such right shall not be infringed; and

WHEREAS, the people of Legislative District 16 are strong supporters of our freedoms and the Second Amendment; and
WHEREAS, Washington, Burt, and Cuming counties have joined many other counties and states and passed ordinances declaring these counties as Second Amendment sanctuary counties.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature recognizes Washington, Burt, and Cuming counties as Second Amendment sanctuary counties and as strong supporters of the Second Amendment.
2. That copies of this resolution be sent to the county boards of Washington, Burt, and Cuming counties.

LEGISLATIVE RESOLUTION 254. Introducer by Halloran, 33.

WHEREAS, Legislative District 33 consists of Adams County and parts of Hall County; and
WHEREAS, the Second Amendment to the Constitution of the United States provides that it is the right of the people to keep and bear arms and that such right shall not be infringed; and
WHEREAS, the people of District 33 are strong supporters of our freedoms and the Second Amendment; and
WHEREAS, Adams and Hall counties have joined many other counties and states and passed ordinances declaring these counties are Second Amendment sanctuary counties.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature recognizes Adams and Hall counties as Second Amendment sanctuary counties and as strong supporters of the Second Amendment.
2. That copies of this resolution be sent to the county boards of Adams and Hall counties.

LEGISLATIVE RESOLUTION 256. Introducer by Lowe, 37.

WHEREAS, Legislative District 37 is located in Buffalo County; and
WHEREAS, the Second Amendment to the Constitution of the United States provides that it is the right of the people to keep and bear arms and that such right shall not be infringed; and
WHEREAS, the people of Buffalo County are strong supporters of our freedoms and the Second Amendment; and
WHEREAS, Buffalo County has joined many other counties and states and passed an ordinance declaring that it is a Second Amendment sanctuary county.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature recognizes Buffalo County as a Second Amendment sanctuary county and a strong supporter of the Second Amendment.
2. That a copy of this resolution be sent to the county board of Buffalo County.

LEGISLATIVE RESOLUTION 257. Introducer by Murman, 38.

WHEREAS, Clay, Webster, and part of Buffalo County are part of Legislative District 38; and
WHEREAS, the Second Amendment to the Constitution of the United States provides that it is the right of the people to keep and bear arms and that such right shall not be infringed; and

WHEREAS, the people of Legislative District 38 are strong supporters of our freedoms and the Second Amendment; and

WHEREAS, Clay, Webster, and Buffalo counties have joined many other counties and states and passed ordinances declaring these counties as Second Amendment sanctuary counties.

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

1. That the Legislature recognizes Clay, Webster, and Buffalo counties as Second Amendment sanctuary counties and strong supporters of the Second Amendment.

2. That a copy of this resolution be sent to the county boards of Clay, Webster, and Buffalo counties.

LEGISLATIVE RESOLUTION 258. Introducer by Albrecht, 17.

WHEREAS, Legislative District 17 consists of three counties, including Wayne, Dakota, and Thurston counties; and

WHEREAS, the Second Amendment to the Constitution of the United States provides that it is the right of the people to keep and bear arms and that such right shall not be infringed; and

WHEREAS, the people of Legislative District 17 are strong supporters of our freedoms and the Second Amendment; and

WHEREAS, Dakota County has joined the other counties of Legislative District 17 and many other counties and states and passed an ordinance declaring that it is a Second Amendment sanctuary county.

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

1. That the Legislature recognizes Dakota County as a Second Amendment sanctuary county and a strong supporter of the Second Amendment.

2. That a copy of this resolution be sent to the county board of Dakota County.

LEGISLATIVE RESOLUTION 259. Introducer by Albrecht, 17.

WHEREAS, Legislative District 17 consists of three counties, including Wayne, Dakota, and Thurston counties; and

WHEREAS, the Second Amendment to the Constitution of the United States provides that it is the right of the people to keep and bear arms and that such right shall not be infringed; and

WHEREAS, the people of Legislative District 17 are strong supporters of our freedoms and the Second Amendment; and

WHEREAS, Wayne County has joined the other counties of Legislative District 17 and many other counties and states and passed an ordinance declaring that it is a Second Amendment sanctuary county.

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

1. That the Legislature recognizes Wayne County as a Second Amendment sanctuary county and a strong supporter of the Second Amendment.

2. That a copy of this resolution be sent to the county board of Wayne County.
LEGISLATIVE RESOLUTION 260. Introducer by Albrecht, 17.

WHEREAS, Legislative District 17 consists of three counties, including Wayne, Dakota, and Thurston counties; and

WHEREAS, the Second Amendment to the Constitution of the United States provides that it is the right of the people to keep and bear arms and that such right shall not be infringed; and

WHEREAS, the people of Legislative District 17 are strong supporters of our freedoms and the Second Amendment; and

WHEREAS, Thurston County has joined the other counties of Legislative District 17 and many other counties and states and passed an ordinance declaring that it is a Second Amendment sanctuary county.

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

1. That the Legislature recognizes Thurston County as a Second Amendment sanctuary county and a strong supporter of the Second Amendment.

2. That a copy of this resolution be sent to the county board of Thurston County.
FIRST DAY - JANUARY 5, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 5, 2022

PRAYER

The prayer was offered by Senator Williams.

PRESENTATION OF COLORS

Presentation of Colors by the Nebraska State Patrol - Headquarters Troop Honor Guard.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Sanders.

ROLL CALL

Pursuant to the provisions of Article III, Section 10 of the Constitution of Nebraska, the One Hundred Seventh Legislature, Second Session of the Legislature of Nebraska assembled in the George W. Norris Legislative Chamber of the State Capitol at the hour of 10:00 a.m., on Wednesday, January 5, 2022, and was called to order by President Foley.

The roll was called and the following members were present:

Aguilar, Raymond  Friesen, Curt  McDonnell, Mike
Albrecht, Joni     Geist, Suzanne  McKinney, Terrell M.
Arch, John         Gragert, Tim    Morfeld, Adam
Blood, Carol       Groene, Mike   Moser, Mike
Bostar, Eliot      Halloran, Steve Murman, Dave
Bostelman, Bruce   Hansen, Ben     Pahls, Rich
Brandt, Tom        Hansen, Matt    Pansing Brooks, Patty
Breuer, Tom        Hilgers, Mike   Sanders, Rita
Briese, Tom        Hilkemann, Robert Slama, Julie
Cavanaugh, John, Jr. Hughes, Dan    Stinner, John
Cavanaugh, Machaela Hunt, Megan    Vargas, Tony
Clements, Robert   Koltermann, Mark Wafz, Lynne
Day, Jen           Lathrop, Steve  Williams, Matt
DeBoer, Wendy      Lindstrom, Brett Wishart, Anna
Dorn, Myron        Lowe, John S., Sr.
Erdman, Steve      McCollister, John S.
Flood, Mike        McColister, John S.
The following members were excused:

Linehan, Lou Ann       Wayne, Justin T.

**CERTIFICATE**

State of Nebraska

United States of America, ) ss. Secretary of State
State of Nebraska       ) State Capitol
                        ) Lincoln, Nebraska

I, Robert B. Evnen, Secretary of State of the State of Nebraska, do hereby certify that the attached is a true and correct copy of the Official Roster of members of the Nebraska Unicameral Legislature elected or appointed to serve in the One Hundred Seventh Legislature, Second Session, 2022.

Further, I hereby certify that the members so listed on the Official Roster attached hereto are the duly elected or appointed members of the Unicameral Legislature in the State of Nebraska for the One Hundred Seventh Legislature, Second Session, 2022.

Finally, I hereby certify that all election returns, abstracts, canvass and appointment records with reference to said members are on file in the office of the Secretary of State and are a matter of public record.

Nothing further is certified.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska on this date of January 5, 2022.

(SEAL) (Signed) Robert. B. Evnen
Secretary of State

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<thead>
<tr>
<th>DISTRICT/NAME</th>
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<tbody>
<tr>
<td>1 Julie Slama</td>
<td>November 3, 2020</td>
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<td>2 Robert Clements</td>
<td>November 6, 2018</td>
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<td>3 Carol Blood</td>
<td>November 3, 2020</td>
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<td>4 Robert Bob Hilkemann</td>
<td>November 6, 2018</td>
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<td>5 Mike McDonnell</td>
<td>November 3, 2020</td>
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<td>6 Machaela Cavanaugh</td>
<td>November 6, 2018</td>
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<td>7 Tony Vargas</td>
<td>November 3, 2020</td>
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<td>8 Megan Hunt</td>
<td>November 6, 2018</td>
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<td>9 John Cavanaugh</td>
<td>November 3, 2020</td>
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<tr>
<td>10 Wendy DeBoer</td>
<td>November 6, 2018</td>
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<tr>
<td>11 Terrell McKinney</td>
<td>November 3, 2020</td>
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MESSAGE(S) FROM THE GOVERNOR

October 4, 2021

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

Dear Mr. President, Speaker Hilgers and Members of the Legislature:
Contingent upon your approval, the following individual is being appointed to the Climate Assessment Response Committee:

Ervin L. Portis, Nebraska Emergency Management Agency, 2433 NW 24th Street, Lincoln, NE 68524-5086

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

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

October 28, 2021

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

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

Contingent upon your approval, the following individual is being appointed to the Child Abuse Prevention Fund Board:

Clarie K. Bazata, 34 McCormick Drive, Cozad, NE 69130

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

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

November 9, 2021

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

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

Contingent upon your approval, the following individual is being appointed
to the Commission for the Deaf and Hard of Hearing:

Peggy A. Williams, 4515 Hill Drive, Lincoln, NE 68510

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

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

November 9, 2021

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

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

Contingent upon your approval, the following individual is being appointed to the Foster Care Advisory Committee:

Richard L. Wiener, Ph.D., 16310 Charles Circle, Omaha, NE 68118

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

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

November 24, 2021

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

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

Contingent upon your approval, the following individual is being appointed to the Crime Victim's Reparations Committee:

Gerald Randall (Rand) Hansen, 2303 S. 154 Circle, Omaha, NE 68144
The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

(Signed) Pete Ricketts
Governor

Enclosures

November 24, 2021

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

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

Contingent upon your approval, the following individual is being appointed to the State Personnel Board:

Jerry Lee Jensen, 2137 South 58 Street, Lincoln, NE 68506

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

(Signed) Pete Ricketts
Governor

Enclosures

November 24, 2021

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

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

Contingent upon your approval, the following individuals are being reappointed to the Nebraska Ethanol Board:

Scott B. McPheeters, 26118 S. McNickle Road, Gothenburg, NE 69138
Taylor D. Nelson, 831 137 Street, South Sioux City, NE 68776

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

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

November 24, 2021

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

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

Contingent upon your approval, the following individual is being reappointed to the Nebraska Brand Committee:

Terry L. Cone, 97 S. 1st Avenue, Burwell, NE 68823

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

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

ATTORNEY GENERAL’S OPINIONS

Opinion 21-013

SUBJECT: Constitutionality of the Statutory Requirement that a Political Party Nominee for Governor Select a Candidate for Lieutenant Governor of the Same Political Party (LB 635).

REQUESTED BY: Senator Carol Blood
Nebraska Legislature

WRITTEN BY: Douglas J. Peterson, Attorney General
L. Jay Bartel, Assistant Attorney General

INTRODUCTION
Nebraska law currently provides that "[t]he candidate for Governor of each political party receiving the highest number of votes in the primary election shall select a candidate for Lieutenant Governor of the same political party by filing an affidavit indicating his or her choice with the Secretary of State." Neb. Rev. Stat. § 32-619.01 (2016). Under the Nebraska Constitution, "[e]ach candidate for Governor shall select a person to be the candidate for Lieutenant Governor on the general election ballot. In the general election one vote shall be cast jointly for the candidates for Governor and Lieutenant Governor." Neb. Const. art. IV, § 1. Further, "[n]o person shall be eligible for the office of Governor, or Lieutenant Governor, who shall not have attained the age of thirty years, and who shall not have been for five years next preceding his election a resident and citizen of this state and a citizen of the United States." Neb. Const. art. IV, § 2.

You ask us to address the constitutionality of the requirement in § 32-619.01 that a candidate for Governor of a political party select a candidate for Lieutenant Governor of the same political party. You question whether this requirement unconstitutionally imposes a qualification for the office of Lieutenant Governor beyond what is required under art. IV, § 2, and impermissibly limits a Governor candidate's selection of a Lieutenant Governor candidate under art. IV, § 1. You further raise issues regarding whether § 32-619.01 "violates candidates' rights to choose running mates of their own choosing without regard to partisan designation," or "voters' rights to vote for candidates separate from political party or right to vote for candidates of different parties." You also ask us to consider "[w]hat happens if a gubernatorial candidate chooses a running mate with no party affiliation or a different party affiliation" and, if so, "[w]ill that candidate for Governor be listed on the ballot?"

Initially, we note it is our long-standing policy not to provide opinions to members of the Legislature on the interpretation or constitutionality of existing statutes. Op. Att'y Gen. No. 157 (Dec. 24, 1985). Rather, we only issue opinions to state legislators which pertain "to pending or proposed legislation." Id. at 1. Because your request makes no reference to any pending or proposed legislation, we normally would decline to provide an opinion on the questions presented. We have, however, identified pending legislation which would provide for nonpartisan primary elections for statewide offices and U.S. Congressional offices. LB 635. Section 13 of LB 635 proposes to amend § 32-619.01 to remove the "same political party" requirement for Lieutenant Governor candidates and provide instead that the two candidates for Governor receiving the highest number of votes in the primary election shall each select a candidate for Lieutenant Governor without regard for his or her political party. Because our conclusions could impact consideration of this pending legislation, we will respond to your request.

BACKGROUND
Prior to 1970, the Nebraska Constitution provided for the separate election of the Governor and Lieutenant Governor. See Neb. Const. art. IV, § 1 (Cum. Supp. 1967) ("The Governor, [and] Lieutenant Governor . . . shall be chosen at the general election . . ."). In 1970, an amendment was adopted providing that "[i]n the general election one vote shall be cast jointly for the candidates for Governor and Lieutenant Governor nominated by the same party." 1969 Neb. Laws, ch. 417, § 1, p. 1428 (Neb. Const. art. IV, § 1 (Cum. Supp. 1972)). At the general election in 2000, the voters approved a constitutional amendment (LR 14CA) requiring "[e]ach candidate for Governor to select a person to be the candidate for Lieutenant Governor on the general election ballot." 1999 Neb. Laws LR 14CA (Neb. Const. art. IV, § 1 (Supp. 2001)). The amendment left the language stating that "[i]n the general election one vote shall be cast jointly for the candidates for Governor and Lieutenant Governor," but removed the previous language stating that the candidates be "nominated by the same party."

After LR 14CA was approved by the voters in 2000, the Legislature passed enabling legislation, 2001 Neb. Laws LB 768. The bill proposed "that the candidates for Governor of each political party receiving the highest number of votes in the primary election will select a candidate for Lieutenant Governor of the same political party within sixty days after the statewide primary election. Each of these two candidates would then run as a team on the general election ballot." Committee Records on LB 768, 97th Leg., 1st Sess., Introducer's Statement of Intent (Feb. 14, 2001). The bill's principal introducer, Senator Schrock, noted the requirement that the Governor select a Lieutenant Governor candidate from "the same political party" could be "controversial." Id. at 2. LB 768 was, however, passed with no subsequent discussion of the party affiliation requirement. The bill, codified at Neb. Rev. Stat. § 32-619.01, has not been changed since its enactment.

ANALYSIS

You primary question is whether the "party affiliation" rule in § 32-619.01 unconstitutionally imposes a qualification for the office of Lieutenant Governor beyond what is required under art. IV, § 2, and impermissibly limits a Governor candidate's selection of a Lieutenant Governor candidate under art. IV, § 1. As explained below, we conclude the "same political party" provision in § 32-619.01 does not conflict with the constitution's requirement that a candidate for Governor select the Lieutenant Governor candidate for the general election ballot and that "one vote shall be cast jointly for the candidates for Governor and Lieutenant Governor." Neb. Const. art. IV, § 1. This interpretation is consistent with the constitutional language and the historical facts contained in the legislative record. Further, the "same political party" requirement imposes no additional qualification for the office of Lieutenant Governor and places no improper limit on the selection of a running mate by a candidate for Governor of a political party.

The Nebraska Supreme Court has recognized the following general rules governing the interpretation of constitutional provisions:

The intent and understanding of [the] framers [of a constitutional provision] and the people who adopted it as expressed in the instrument is the main inquiry in construing it . . . . The words of a constitutional provision will be interpreted and understood in their most natural and obvious meaning unless the subject indicates or the text suggests they are used in a technical sense. The court may not supply any supposed omission, or add words to or take words from the provision as framed. It must be construed as a whole, and no part will be rejected as meaningless or surplusage, if it can be avoided. If the meaning is clear, the court will give to it the meaning that obviously would be accepted and understood by the layman . . . . It is permissible to consider the facts of history in determining the meaning of the language of the Constitution . . . . It is also appropriate and helpful to consider, in connection with the historical background, the evil and mischief attempted to be remedied, the objects sought to be accomplished, and the scope of the remedy its terms imply.


Under art. IV, § 1, the candidate for Governor must select the candidate for Lieutenant Governor for the general election and "one vote shall be cast jointly for the candidates for Governor and Lieutenant Governor." The crucial inquiry in assessing the propriety of the statutory "party affiliation" rule is whether it is consistent with the intent and meaning of the constitutional "joint vote" requirement in art. IV, § 1.


Thus, a person must be affiliated with and be a registered voter of a political party to have their name placed on the primary election ballot as the party's candidate for a partisan office. The offices of Governor and Lieutenant Governor are elected on a partisan ballot. Under § 32-619.01, the winning candidate of a political party in the primary election for Governor must select a candidate for Lieutenant Governor "of the same political
party" to run in the general election. Art. IV, § 1, provides that the candidate for Governor must select a Lieutenant Governor candidate and that one vote must be cast jointly for the candidates for Governor and Lieutenant Governor in the general election. The requirement in § 32-619.01 that a political party candidate for Governor receiving the most votes in the primary election must select a Lieutenant Governor candidate of the same political party for the general election contest for these partisan offices is consistent with the intent and meaning of the "joint vote" requirement in art. IV, § 1.

"The Nebraska Constitution is not a grant, but, rather, a restriction on legislative power, and the Legislature is free to act on any subject not inhibited by the Constitution." *Jaksha v. Thomas*, 243 Neb. 794, 798, 502 N.W.2d 826, 829 (1993). "[C]ourts can enforce only those limitations which the Constitution imposes." *Lenstrom v. Thone*, 209 Neb. 783, 789, 311 N.W.2d 884, 888 (1981). Art. IV, § 1, places no restriction on the Legislature's power to establish a party affiliation rule for nominees for Governor of a political party in selecting a candidate to run with them jointly on the general election ballot. Absent such a restriction in the Constitution, the Legislature was free to enact such a requirement in § 32-619.01.

Construing the "joint vote" requirement in art. IV, § 1, to permit § 32-619.01's "same political party" requirement is also consistent with the historical development of the language in Art. IV, § 1. That section previously required that "the candidates for Governor and Lieutenant Governor [be] nominated by the same party." 1969 Neb. Laws, ch. 417, § 1, p. 1428 (Neb. Const. art. IV, § 1 (Cum. Supp. 1972)). But the people removed that language in 2000, and in so doing, they demonstrated their intent to leave that issue to the Legislature. Notably, the people did not resolve that question in a different way - by, for example, directing that "the candidates for Governor and Lieutenant Governor need not be nominated by the same party." Rather, they decided that the Constitution would be silent. Because the Constitution does not take a position on whether a candidate for Lieutenant Governor must be of the same party as the candidate for Governor, it is open for the Legislature to decide.

The historical facts surrounding the Legislature's consideration of LR 14CA further confirm this conclusion. As originally introduced, LR 14CA required each candidate for Governor to select a Lieutenant Governor candidate "of the same political party status." 1999 Neb. Leg. Journal, 96th Leg., 1st Sess. at 157 (Jan. 12, 1999). Senator Chambers offered a floor amendment (FA23) to strike this language. *Id.* at 596 (Feb. 17, 1999). Opening discussion on the amendment, Senator Chambers stated "[w]e should just make a general statement in the constitution to make it clear that the person who is to be Lieutenant Governor will be selected by the person running for Governor." Floor Debate on LR 14CA, 96th Leg., 1st Sess. at 1149 (Feb. 7, 1999). He noted "there is no need for us to put this type of language in the constitution which would better be argued when we're
considering a statute." *Id.* at 1150. Senator Schimek, citing the existing constitutional language providing that votes were to be cast jointly for the Governor and Lieutenant Governor "nominated by the same party," raised a concern that adoption of FA23 "would change the meaning that is . . . in the constitution now." *Id.* In response, Senator Chambers stated that the language referred to by Senator Schimek was "to prevent, in the general election, the public having the option of voting for a Governor of one party and a Lieutenant Governor of another party . . ." by "put[ting] the Democrat for Governor and the Democrat for Lieutenant Governor on one spot on the ballot, and a vote cast was a vote for both of them. The same with the [Republican] side—a vote for one was a vote for both." *Id.* at 1154. He continued by stating he "was not changing anything by [his] amendment," explaining: "When the names appear on the ballot, there will still have to be one vote cast for the candidate for Governor and Lieutenant Governor of the same party on one ballot, the candidates for Governor and Lieutenant Governor for the other party on the other ballot." *Id.* Advocating that "we should put as little restrictive language in the constitution as possible," Senator Chambers stated:

It will still be clear, with the adoption of this amendment that I'm offering, that in the general election, which is the only time that a person will have to vote for a Lieutenant Governor, they must be of the same political party. One vote will be cast jointly for the Governor and Lieutenant Governor candidate of the same party. *Id.* at 1155.

After FA23 was adopted, Senator Schimek again expressed "concern[ ] about the Chambers amendment." *Id.* at 1780 (March 4, 1999). Senator Schrock, noting that the "original constitutional amendment" required the Governor candidate to "choose a Lieutenant Governor of the same party," stated: "[S]hould LR 14CA be passed this session then we will need enabling legislation in the statutes next year, and then the issue could be decided by this legislative body as to whether we should require that the Governor candidate choose a Lieutenant Governor candidate from their same party or not." *Id.* at 1781. Toward the end of debate, Senator Schrock urged advancement of the amendment, stating "that [the] issue of whether the Lieutenant Governor should be from the same political party can be addressed statutorily." *Id.* at 1798.

This history reflects a legislative understanding that the "joint vote" requirement authorized the Legislature to implement the amendment by enacting a statute imposing a party affiliation requirement. These historical facts further support concluding that the party affiliation rule in § 32-619.01 is consistent with art. IV, § 1.

**B. The Party Affiliation Rule Does Not Impose an Additional Qualification for the Office of Lieutenant Governor.**

The constitutional qualifications to be eligible for the offices of Governor and Lieutenant Governor are "hav[ing] attained the age of thirty years" and
being a resident and citizen of this state and the United States "for five years
next preceding" election to office. Neb. Const. art. IV, § 2. You contend the
party affiliation rule in § 32-619.01 "conflicts with the constitutional
qualifications for eligibility for candidates for Governor and Lieutenant
Governor because it requires consistency of party membership as eligibility
for being candidates for these offices."

"[W]here the Constitution creates an office and enumerates the
qualifications for eligibility to the office the legislature is without power to
impose other conditions for eligibility." State ex rel. Quinn v. Marsh, 141
Neb. 436, 439, 3 N.W.2d 892, 894 (1942). See also State ex rel. Brazda v.
Marsh, 141 Neb. 817, 830, 5 N.W.2d 206, 214 (1942) ("[W]hen a state
Constitution creates an office and names the qualifications of the incumbent,
the legislature has no authority to prescribe additional qualifications or to
remove any of the requirements provided for by the Constitution.").

While this rule is well-established, the issue here is whether the party
affiliation rule in § 32-619.01 imposes an additional qualification for the
offices of Governor or Lieutenant Governor. As explained below, the party
affiliation rule is not an additional qualification for the offices of Governor
or Lieutenant Governor and thus does not violate art. IV, § 2.

In Roberts v. Cleveland, 48 N.M. 226, 149 P.2d 120 (N.M. 1944)
["Roberts"], the Supreme Court of New Mexico considered a challenge to
the constitutionality of a statute requiring that a person be registered with a
political party for a certain length of time to be eligible as that party's
nominee for office. The relator asserted that the statute imposed an
additional qualification for eligibility to the office of Representative in
Congress in violation of the United States Constitution. Id. at ___, 149 P.2d
at 121. While it was conceded "that the state legislature cannot add to or
subtract from the qualifications to hold the office of Congressman," the
court noted a "difference between the qualifications of a person to hold the
office" and "the qualifications to enter the contest in the Primary Election
for the nomination of [a party] as its candidate for said office." Id. "Every
voter has a right to be a candidate for a public office if he possesses the
qualifications required to fill the office. It does not necessarily follow that he
can be the candidate of a particular political party." Id. "The statute provides
when and how one may be a candidate of a political party. If he cannot fill
the requirement so as to be the candidate of the political party of his choice,
he may still be a candidate at the general election by petition." Id.
Concluding that the statute did not impose an improper additional
qualification for office, the court stated:

[N]o political party under our system can be compelled to put forward
as its candidate one who does not affiliate with it. The voter at the
general election may vote for whom he pleases but may not be deceived
by false labels. It surely is within the power of the legislature to prevent
such deception, and we think it clearly appears that it was intended to
do so and, likewise, that it was not intended to enlarge upon or subtract
from the constitutional qualifications of our citizens to hold public office. We are determining the qualifications for nomination as the candidate of a political party, and not the right to be a candidate for election to the office. *Id.* at 122.

*Roberts* instructs that there is a distinction between qualifications necessary to be a candidate for an office and eligibility to be nominated as the candidate of a political party running for an office. Because § 32-619.01 applies to candidates of a "political party" for Governor and requires such candidates to select a Lieutenant Governor candidate of the "same political party," it imposes no qualification for either office.¹ The Legislature has authority to require that candidates of a political party seeking election to an office be affiliated with that party. This requirement does not impose an additional qualification for office. It merely recognizes "the power of the legislature to protect the various political parties in their right to present candidates at the general election who affiliate with the party that presents them." *Roberts*, 48 N.M. at ___, 149 P.2d at 121.²

C. The Party Affiliation Rule Does Not Violate the Rights of Candidates or Voters.

You further raise issues regarding whether § 32-619.01 "violates candidates' rights to choose running mates of their own choosing without regard to partisan designation," or "voters' rights to vote for candidates separate from political party or right to vote for candidates of different parties." It does not.

As explained above, the Legislature may require that candidates of a political party seeking election to an office be affiliated with that party. A candidate for Governor that does not wish to run as a candidate of a political party retains the option to be a candidate by petition and is free to select any person as a Lieutenant Governor candidate without regard to party affiliation. Neb. Rev. Stat. § 32-619 (2016). Section 32-619.01 only requires that a political party's candidate for Governor select a Lieutenant Governor candidate of the same political party. There is no improper restriction on a candidate's right to select a running mate.

Nor does § 32-619 improperly restrict the rights of voters. Again, art. IV, § 1, provides for a joint vote in the general election for the candidate for Governor that wins the primary election and the person that candidate selects for Lieutenant Governor. The Constitution does not permit a separate vote for Governor and Lieutenant Governor. Voters are not denied the right to vote for any candidates running jointly for Governor or Lieutenant Governor, whether they be on the ballot on a party basis or by petition.

D. Effect of a Political Party Nominee for Governor Selecting a Lieutenant Governor Candidate Who Is Not of the Same Political Party.
Finally, you ask us to address "[w]hat happens if a gubernatorial candidate chooses a running mate with no party affiliation or a different party affiliation" and, if so, "[w]ill that candidate for Governor be listed on the ballot?" As a member of the Legislature, you are entitled to ask our opinion about the constitutionality of pending or proposed legislation. While we have found it appropriate to address the constitutional issues you raise based on certain provisions in pending LB 635, your final questions regarding the effect of a political party nominee for Governor selecting a Lieutenant Governor candidate who is not of the same political party, and the placement of those candidates on the ballot, do not involve any pending legislation. Accordingly, we must decline to respond to these questions.

CONCLUSION

"A statute is presumed to be constitutional, and all reasonable doubts are resolved in favor of its constitutionality. Yant v. City of Grand Island, 279 Neb. 935, 939, 784 N.W.2d 101, 105 (2010). "The unconstitutionality of a statute must be clearly established before it will be declared void." Id. We conclude the "same political party" provision in § 32-619.01 is not in conflict with the Constitution's requirements that a candidate for Governor select the Lieutenant Governor candidate for the general election ballot and that "one vote shall be cast jointly for the candidates for Governor and Lieutenant Governor." Neb. Const. art. IV, § 1. This interpretation is consistent with the constitutional language and the historical facts in the legislative record. Further, the "same political party" requirement imposes no additional qualification for the office of Lieutenant Governor and places no improper limit on the selection of a running mate by the Governor candidate of a political party.

Very truly yours,

(Signed) DOUGLAS J. PETERSON
Attorney General
(Signed) L. Jay Bartel
Assistant Attorney General

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

07-1416-29

1 There is, of course, no "party affiliation" requirement for candidates for Governor seeking to be placed on the general election ballot by petition. Neb. Rev. Stat. § 32-619 (2016). Under the petition process, a person not seeking to be the candidate of a political party for the office of Governor may be a candidate for Governor and select a Lieutenant Governor candidate without any political party affiliation requirement. This further illustrates the party affiliation rule is not an additional qualification for these offices.
There is some authority supporting the view that requiring a Lieutenant Governor candidate to be of the same political party as a candidate for Governor unconstitutionally adds to the constitutional qualifications for the office of Lieutenant Governor. *Opinion of the Justices*, 290 A.2d 645 (Del. 1972); Wash. Op. Att'y Gen. 1975 No. 4 (March 18, 1975), 1975 WL 165893. Unlike Nebraska, however, Delaware and Washington require the separate election of the Governor and Lieutenant Governor in the general election. While imposing a political party requirement when these offices are constitutionally required to be elected separately may well impose an additional qualification on a Lieutenant Governor candidate, Nebraska does not follow the separate vote model. Nebraska has chosen a "team ticket" model where the candidate for Governor selects the Lieutenant Governor candidate for the general election, and one vote is cast jointly for both candidates. *See generally* Yeargain, T. Quinn, *One Vote, Two Winners: Team-Ticket Gubernatorial Elections and the Need for Further Reform*, 75 U. Miami L. Rev. 751 (2021). Thus, the Delaware and Washington authority is not persuasive or relevant to interpreting our Constitution.

**Opinion 21-015**

**SUBJECT:** Constitutionality of LB 670 – Authorization of Roadway Memorial Signs

**REQUESTED BY:** Senator Dave Murman  
Nebraska Legislature

**WRITTEN BY:** Douglas J. Peterson, Attorney General  
James A. Campbell, Solicitor General

**INTRODUCTION**

On March 2, 2021, you requested our opinion on the constitutionality of LB 670. That bill authorizes relatives of individuals killed on Nebraska roadways to apply to the Nebraska Department of Transportation (the Department) for roadway memorial signs commemorating their lost loved ones. Those signs display a safety message and a commemorative message about the deceased, including, at the request of the relative, an emblem of belief.

Your request includes two specific questions. First, you ask whether "the provision allowing a qualified relative the option to request . . . an emblem of belief . . . violate[s] the Establishment Clause of the First Amendment to the U.S. Constitution." We conclude that it does not. Second, you ask whether the Department would violate the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution if it denies a requested emblem of belief based on the criteria in LB 670. We likewise determine that it would not.

**ANALYSIS**
LB 670 authorizes the placement of memorial signs on Nebraska roadways "to raise public awareness about highway safety and the dangers of impaired driving and to afford families an opportunity to memorialize family victims." LB 670, § 4(1). Any "qualified relative" of a person killed on the roadways may request one of these memorial signs. *Id.* They do so by filling out a Department-created form and paying "a fee of seventy-five dollars." *Id.*

The signs are "erected by or at the direction of the Department . . . and maintained within the right-of-way at appropriate distances from roadways of the state primary system, but not within any municipality," and they are placed "as close to the location requested by a qualified relative as practicable." LB 670, § 5(1). Each sign will contain two messages: (1) "a safety message"; and (2) a message "memorializ[ing] and commemorat[ing] the deceased." *Id.* at § 5(2)(a). For the safety message, each sign will "[c]ontain one of the following messages: 'Please Drive Safely'; 'Seat Belts Save Lives'; 'Don't Drink and Drive'; 'Don't Text and Drive'; or 'Don't Drive Impaired.'" *Id.* at § 5(2)(d). And for the commemorative message, each sign will "[c]ontain the words 'In Memory of' and the name . . . of the deceased" and "an emblem of belief" if requested by "the qualified relative." *Id.* at § 5(2)(c).

An emblem of belief is "an emblem that represents the decedent's religious affiliation or sincerely held religious belief system, or a sincerely held belief system that was functionally equivalent to a religious belief system in the life of the decedent." LB 670, § 5(2)(c). "In the absence of evidence to the contrary, the department will accept as genuine an applicant's statement regarding the sincerity of the religious or functionally equivalent belief system of a deceased eligible individual." *Id.* Although the "religion or belief system represented by an emblem need not be associated with or endorsed by a church, group, or organized denomination," the emblem cannot be a "social, cultural, ethnic, civic, fraternal, trade, commercial, political, professional, or military emblem[]." *Id.* Nor will the Department "accept any emblem that would have an adverse impact on the dignity and solemnity of the sign honoring the deceased person, including, but not limited to, emblems that contain explicit or graphic depictions or descriptions of sexual organs or sexual activities that are shocking, titillating, or pandering in nature and emblems that display coarse or abusive language or images." *Id.* All the requirements outlined in this paragraph mirror the requirements prescribed in a U.S. Department of Veterans Affairs' regulation defining the emblems of belief that may be placed on government-issued cemetery headstones or markers. See 38 C.F.R. § 38.632(b)(2). If the State "determines that [a] proposed emblem does not meet the criteria," it will allow the applicant to either omit "the part of the emblem that is problematic," if feasible, or choose "a different emblem." LB 670, § 5(2)(c).
An emblem of belief included on the list that the Department of Veterans Affairs has approved for government-issued headstones and markers "is presumed to meet the criteria" established in LB 670. LB 670, § 5(2)(c) (as amended). That list currently contains over 75 different emblems. See Available Emblems of Belief for Placement on Government Headstones and Markers, U.S. Dept of Veterans Affairs, https://www.cem.va.gov/cem/hmm/emblems.asp. Among them are Judaism's Star of David, the Buddhist Wheel of Righteousness, the Muslim Crescent and Star, Hindu imagery, and various emblems (such as Latin crosses) associated with different Christian denominations. Id. Also included are the Atheist symbol, the American Humanist Association's emblem, the Wiccan Pentacle, the Hammer of Thor, a Landing Eagle, a Sandhill Crane, and Druid imagery. Id.

Each memorial sign will be "blue with white lettering" that is "legible from the roadway." LB 670, § 5(2)(b). It will be "posted for five years," after which, if the relative does not file another application asking for the sign to remain "for an additional five years," "the sign shall be removed." Id. at § 5(2)(e). When the sign is removed, the relative has "the option of retaining the sign before the department discards or recycles it." Id.

For the reasons explained below, LB 670's authorization of these signs does not violate the Constitution.

1. The option to request an emblem of belief does not violate the Establishment Clause of the U.S. Constitution.

The Establishment Clause of the U.S. Constitution states that "Congress shall make no law respecting an establishment of religion." U.S. Const. amend. I. While the text applies this prohibition only against Congress, the U.S. Supreme Court has long held that the Establishment Clause also restricts state governments. Everson v. Bd. of Ed. of Ewing Twp., 330 U.S. 1, 8 (1947).

Allowing relatives to select an emblem of belief for their loved ones' memorial sign poses no Establishment Clause problem for two reasons. First, the Establishment Clause does not apply to the speech of a private individual, and a court would likely conclude that the emblem of belief on a memorial sign is the speech of the honored individual and her family instead of the government. Second, even if the emblem of belief is the government's speech, allowing relatives to select one does not violate the Establishment Clause because it is consistent with our national tradition of recognizing religion's importance in the lives of many Americans and does not impermissibly endorse religion.

A. The Establishment Clause does not apply because the emblem of belief is the expression of the honored individual and her family rather than the government.

Here, the emblem of belief on each memorial sign is either government speech or private speech within a government-created forum. If the former, then the Establishment Clause must be considered, but if the latter, the Clause is not violated. As we explain below, it is likely that a court would view the emblem of belief as private speech within a government-created forum and thus conclude that the Establishment Clause does not apply.

Numerous U.S. Supreme Court justices have already recognized that religious symbols on individual memorials are the private speech of the deceased instead of the government. For example, in 2019, the late Justice Ruth Bader Ginsburg, joined by Justice Sonia Sotomayor, wrote that the "privately selected religious symbols on individual graves" located on government land "are best understood as the private speech of each veteran." *Am. Legion v. Am. Humanist Ass'n*, 139 S. Ct. 2067, 2112 (2019) (Ginsburg, J., joined by Sotomayor, J., dissenting) (quoting Douglas Laycock, *Government-Sponsored Religious Displays: Transparent Rationalizations and Expedient Post-Modernism*, 61 Case W. Res. L. Rev. 1211, 1242 (2011)). Justice David Souter similarly acknowledged that religious symbols on gravestone "markers in Arlington Cemetery," which are selected by the fallen soldier's family, do "not look like government speech at all." *Summum*, 555 U.S. at 487 (Souter, J., concurring).

The U.S. Supreme Court has established factors for distinguishing government speech from private speech. Those factors ask whether (1) governments have historically used that speech "to convey state messages," (2) the speech is "closely identified in the public mind" with the government, and (3) the government has "direct control over the messages conveyed." *Matal v. Tam*, 137 S. Ct. 1744, 1760 (2017) (discussing *Summum* and *Walker v. Texas Div., Sons of Confederate Veterans, Inc.*, 576 U.S. 200 (2015)). As applied here, those factors demonstrate that the emblems of belief at issue here are private (not government) speech.

First, governments have not historically used emblems of belief on individualized memorials to convey state messages. The closest historical analogues to LB 670's emblems of belief are the religious symbols placed on
the headstones of fallen soldiers in military cemeteries. But the government has not included those emblems to communicate its own messages; rather, it does so, as many U.S. Supreme Court justices have recognized, to "sho[w] respect for[] the individual honoree's faith and beliefs." Am. Legion, 139 S. Ct. at 2112 (Ginsburg, J., dissenting) (quoting Salazar v. Buono, 559 U.S. 700, 748 n.8 (2010) (Stevens, J., dissenting)).

Second, emblems of belief on individualized memorials located on public land are not closely identified in the public mind with the government. Those emblems appear next to the name of the deceased individuals, and the public commonly understands that the family of those individuals selects them. That imagery is thus "linked to . . . the individual honoree[]" rather than the government. Am. Legion, 139 S. Ct. at 2112 (Ginsburg, J., dissenting) (quoting Salazar, 559 U.S. at 748 n.8 (Stevens, J., dissenting)).

Third, even though the Department maintains ultimate approval authority over the emblem, the U.S. Supreme Court has made clear that such approval alone is not sufficient to transform private speech into government speech. In Matal, the federal government argued that trademarks are government speech because the federal government registers—and thereby approves—each one submitted. 137 S. Ct. at 1757-60. But the Court determined that such approval was not enough to make all trademarks government speech. If it were, then the approving governmental entity, which accepts so many different messages, is "babbling . . . incoherently" and "expressing contradictory views." Id. at 1758. To illustrate the point in this context, emblems of beliefs available under LB 670 include religious symbols tied to Judaism, Christianity, Islam, Buddhism, Hinduism, and Wicca, to name a few. But it is unreasonable to suggest that the State is simultaneously speaking all these varying messages about religion. Thus, the mere fact that the Department approves the emblems of belief does not transform the privately selected images into the government's speech. As the Court in Matal said, "private speech [cannot] be passed off as government speech by simply affixing a government seal of approval." Id.

The U.S. Supreme Court's decision in Summum further confirms that the emblem of belief on each memorial sign is private speech. Although the Court there held that permanent monuments on public land are typically government speech, it recognized that there are "circumstances in which the forum doctrine" that protects private speech "might properly be applied to a permanent monument." Summum, 555 U.S. at 480. In particular, the Court said that monuments on which citizens "meeting some . . . criterion[] could place the name of a person to be honored or some other private message" are likely a form of private speech subject to forum analysis. Id. That is precisely what LB 670 creates by allowing relatives of people killed on Nebraska roadways to place the name of their loved ones and their emblem of belief on a memorial sign. Thus, these emblems are private (not government) speech.
Because your request asks specifically whether including the emblem of belief violates the Establishment Clause, our foregoing analysis has focused on whether the emblem is government or private speech. This opinion expresses no view on whether other aspects of the memorial sign—such as the five available safety messages ("Please Drive Safely,” "Seat Belts Save Lives,” "Don't Drink and Drive," "Don't Text and Drive," or "Don't Drive Impaired")—qualify as government speech.

B. Allowing relatives to select an emblem of belief is consistent with our national tradition of recognizing religion's importance in the lives of many Americans and does not impermissibly endorse religion.

Even if the emblem of belief is government speech, allowing relatives to select an emblem does not violate the Establishment Clause. The U.S. Supreme Court and other federal appellate courts have been unclear about what test applies to Establishment Clause challenges to religious symbols on public land. In some cases, courts have applied the so-called Lemon test as modified by Justice Sandra Day O'Connor's endorsement inquiry. E.g., Lemon v. Kurtzman, 403 U.S. 602, 612-13 (1971) (establishing the three Lemon factors); Am. Atheists, Inc. v. Davenport, 637 F.3d 1095, 1117-18 (10th Cir. 2010) (applying the Lemon test when resolving an Establishment Clause challenge to cross-shaped roadside memorials). But in other cases, the U.S. Supreme Court and the U.S. Court of Appeals for the Eighth Circuit sitting en banc have applied a historical analysis. E.g., Van Orden v. Perry, 545 U.S. 677, 686 (2005) (plurality opinion) (explaining that "the Lemon test" is "not useful in dealing with the sort of passive monument" at issue and that the Court's analysis instead was "driven both by the nature of the monument and by our Nation's history"); ACLU Nebraska Found. v. City of Plattsmouth, Neb., 419 F.3d 772, 778 n.8 (8th Cir. 2005) (en banc) ("[W]e do not apply the Lemon test.").

The U.S. Supreme Court most recently discussed the appropriate test for these kinds of cases in its 2019 decision in American Legion. That case involved a challenge to a large cross-shaped World War I memorial that had been on public land since the 1920s. A majority of the Justices voted to uphold the memorial, but their reasoning was not uniform. The four-Justice plurality explained that "the Lemon test presents particularly daunting problems in cases . . . that involve the use, for ceremonial, celebratory, or commemorative purposes, of words or symbols with religious associations." Am. Legion, 139 S. Ct. at 2081. Instead of Lemon, the plurality opted for an "approach that focus[es]d on the particular" kind of monument or practice at issue "and look[es] to history for guidance." Id. at 2087. Other Justices would have gone further by explicitly overruling Lemon. See id. at 2097 (Thomas, J., concurring) (preferring to "overrule the Lemon test in all contexts"); id. at 2101-02 (Gorsuch, J., concurring) (calling Lemon "a misadventure" and expressing the view that it is "now shelved").
Some have questioned whether *American Legion*'s historical analysis is limited to cases challenging monuments that have stood for a long time or whether it extends to all monument cases. Opting for the broader reading, Justice Gorsuch said that the "message for our lower court colleagues seems unmistakable: Whether a monument . . . is old or new," apply the historical analysis rather than *Lemon*. *Id.* at 2102. Notably, many federal circuit courts since *American Legion* agree that *Lemon* no longer applies to public display cases. *E.g.*, *Woodring v. Jackson Cty., Indiana*, 986 F.3d 979, 995 (7th Cir. 2021) (*"American Legion" requires us to analyze the County's [display] under the historical approach" because "at least six Justices rejected *Lemon* in cases that involve the use, for ceremonial, celebratory, or commemorative purposes, of words or symbols with religious associations" and "a majority of the Justices" endorsed "the historical approach") (quotation marks omitted); *Kondrat'yev v. City of Pensacola*, 949 F.3d 1319, 1322 (11th Cir. 2020) (*"American Legion . . . jettisoned *Lemon* . . . at least for cases involving religious references or imagery in public monuments, symbols, mottos, displays, and ceremonies—in favor of an approach that focuses on the particular issue at hand and looks to history for guidance."*) (quotation marks omitted); *id.* at 1326 (*"American Legion's clearest message is this: *Lemon* is dead. Well, sort of. It's dead, that is, at least with respect to cases involving religious displays and monuments"); *Freedom From Religion Found., Inc. v. Cty. of Lehigh*, 933 F.3d 275, 281 (3rd Cir. 2019) (*"American Legion confirms that *Lemon* does not apply to religious references or imagery in public monuments, symbols, mottos, displays, and ceremonies.") (quotation marks omitted).

Given this consensus after *American Legion*, it is likely that a court would apply the historical analysis, rather than the *Lemon* test, when reviewing LB 670's roadside memorials. But we need not definitively decide which test applies because allowing relatives to select an emblem of belief for the memorial signs passes constitutional muster under either approach.

Starting with the historical analysis, it "is driven both by the nature of the monument and by our Nation's history." *Van Orden*, 545 U.S. at 686 (plurality opinion). Courts "focus[] on the particular" kind of public display at issue "and look[] to history for guidance." *Am. Legion*, 139 S. Ct. at 2087 (plurality opinion). That historical inquiry uncovers an "unbroken" tradition of "official acknowledgment by . . . government of the role of religion in American life." *Van Orden*, 545 U.S. at 686 (plurality opinion) (quoting *Lynch v. Donnelly*, 465 U.S. 668, 674 (1984)). Accordingly, "categories of monuments . . . with a longstanding history" are "constitutional" when they follow in the American "tradition" of recognizing "the important role that religion plays in the lives of many Americans." *Am. Legion*, 139 S. Ct. at 2089 (plurality opinion).

Americans have a long tradition of placing religious symbols on individualized memorials found on public land. The foremost example is the federal government's venerable practice of permitting the families of deceased veterans to mark their gravesites with religious imagery. Since
World War I, the federal government has allowed "a religious emblem" to be included "on government headstones." History of Government Furnished Headstones and Markers, U.S. Dep't of Veterans Affairs, https://www.cem.va.gov/history/hmhist.asp. Initially, "[t]he choice of emblem was limited to the Latin Cross for the Christian faith and the Star of David for the Jewish faith." Id.; see also Salazar, 559 U.S. at 726 (Alito, J., concurring) (noting that "the graves of soldiers who perished in [World War I] were marked with either a white cross or a white Star of David"). Now, the approved emblems have expanded to include more than 75 images.

The emblems of belief on the memorial signs authorized by LB 670 are akin to this tradition of religious imagery on government-issued headstones. Both involve individualized memorials on public property bearing privately chosen religious emblems. Since LB 670 is consistent with our nation's long tradition of publicly acknowledging religion on government property, including on individual memorials, the memorials authorized by LB 670 do not violate the Establishment Clause under the historical analysis.

The conclusion is the same under the Lemon test, which imposes three requirements on governments. "First, the statute must have a secular legislative purpose." Lemon, 403 U.S. at 612. "[S]econd, its principal or primary effect must be one that neither advances nor inhibits religion." Id. Third, "the statute must not foster an excessive government entanglement with religion." Id. at 613 (quotation marks omitted); see also Cunningham v. Lutjeharms, 231 Neb. 756, 760, 437 N.W.2d 806, 810 (1989) (reciting and applying the Lemon test). Justice O'Connor slightly altered that test for challenges to displays on public land, and her approach eventually gained widespread acceptance. According to her, "[t]he purpose prong of the Lemon test asks whether government's actual purpose is to endorse or disapprove of religion," and "[t]he effect prong asks whether, irrespective of government's actual purpose, the practice under review in fact conveys a message of endorsement or disapproval." Lynch, 465 U.S. at 690 (O'Connor, J., concurring).

Permitting relatives to select an emblem of belief for the memorial signs satisfies the three Lemon factors. First, LB 670 undeniably has secular legislative purposes. The bill explicitly recognizes that the purposes of the memorial signs are "[1] to raise public awareness about highway safety and the dangers of impaired driving and [2] to afford families an opportunity to memorialize family victims." LB 670, § 4(1). Choosing an emblem of belief is an integral part of family members commemorating their loved ones. These twin purposes—"promot[ing] safety on the State's highways" and "hon[or] fallen [motorists]"—are undoubtedly legitimate "secular" purposes. Davenport, 637 F.3d at 1118.

Second, the effect of allowing an emblem of belief does not convey a message of endorsement for any specific religion or for religion in general. "The clearest command of the Establishment Clause is that one religious denomination cannot be officially preferred over another." Larson v.
Valente, 456 U.S. 228, 244 (1982). But LB 670 does not do this because the available emblems of belief are associated with diverse religions, including but not limited to Judaism, Christianity, Islam, Buddhism, Hinduism, and Wicca. Nor does LB 670 prefer "religion to irreligion." Bd. of Educ. of Kiryas Joel Vill. Sch. Dist. v. Grumet, 512 U.S. 687, 703 (1994). The emblem of belief "need not be associated with or endorsed by a church, group, or organized denomination," nor connected with religion at all. LB 670, § 5(2)(c). It may instead represent "a sincerely held belief system that was functionally equivalent to a religious belief system in the life of the decedent." Id. Indeed, many of the available emblems include nonreligious images, such as the American Humanist Association's symbol, the Hammer of Thor, a Landing Eagle, and a Sandhill Crane. Because options are available for the religious and irreligious alike, LB 670 simply does not endorse religion.

That the emblems are chosen by the honored individual's relatives further demonstrates that the government is not endorsing religion. The U.S. Supreme Court has consistently rejected Establishment Clause challenges when the alleged endorsement of religion arises from "the genuine and independent choices of private individuals." Zelman v. Simmons-Harris, 536 U.S. 639, 649 (2002). Here, a private person—the relative who applies for the memorial sign—selects the emblem of belief. Such privately chosen symbols, as Justice Ginsberg explained, "sho[w] respect for[] the individual honoree's faith and beliefs" but "do not suggest governmental endorsement of those faith and beliefs." Am. Legion, 139 S. Ct. at 2112 (Ginsburg, J., dissenting). "The goal of avoiding governmental endorsement does not require eradication of all religious symbols in the public realm." Salazar, 559 U.S. at 718 (Kennedy, J., joined by Roberts, C.J., and Alito, J.). The Establishment Clause "leaves room to accommodate divergent values within a constitutionally permissible framework." Id. at 719.

Third, LB 670 does not excessively entangle the government with religion. When approving a requested emblem of belief, the Department does not interact with any religious organizations. Nor does it decide whether the "religion or belief system represented by an emblem" is "associated with or endorsed by a church, group, or organized denomination." LB 670, § 5(2)(c). Instead, the Department determines whether the requested emblem "represents the decedent's religious affiliation or sincerely held religious belief system, or a sincerely held belief system that was functionally equivalent to a religious belief system in the life of the decedent." Id. And in so doing, the Department will generally "accept as genuine an applicant's statement regarding the sincerity of the religious or functionally equivalent belief system of a deceased eligible individual." Id. Because the Department does not interact with religious organizations or evaluate the correctness or value of any religious belief, LB 670 does not impermissibly intermingle the State in religious affairs.

Over ten years ago, the U.S. Court of Appeals for the Tenth Circuit applied the Lemon test and concluded that twelve-foot-tall cross-shaped
roadside memorials commemorating fallen Utah state troopers violated the Establishment Clause because "the cross memorials would convey to a reasonable observer that the state . . . is endorsing Christianity." \textit{Davenport}, 637 F.3d at 1121. That case, however, is not persuasive when analyzing LB 670. Most importantly, it was decided long before \textit{American Legion}, and thus its use of the \textit{Lemon} test is suspect. But even under \textit{Lemon}, the outcome there does not dictate the outcome here because those memorials were different from LB 670's memorial signs in at least three critical ways. First, the memorials in \textit{Davenport} took the shape of a religious symbol (the cross), yet LB 670's memorials are the shape of a standard road sign. See \textit{id.} at 1120 (noting that the Utah memorials were in the shape of "a Latin cross"). Second, all the Utah memorials featured religious symbolism associated with only one religion (Christianity), but here, LB 670 authorizes a vast array of diverse religious and nonreligious emblems. See \textit{id.} at 1121 (observing that "all of the fallen [Utah] troopers are memorialized with a Christian symbol"). Third, the trooper memorials displayed the logo of the Utah Highway Patrol—a governmental agency—yet no state logo is found on LB 670's memorial signs. See \textit{id.} (stating that the Utah memorials "conspicuously bear[] the imprimatur of a state entity"). For these reasons, even if the Utah cross memorials conveyed endorsement of Christianity, the very different memorial signs authorized by LB 670 do not impermissibly endorse religion.

In sum, whether a court applies the historical analysis or the \textit{Lemon} test, LB 670's roadside memorials do not violate the Establishment Clause.

2. **Denying an emblem of belief that does not meet LB 670's requirements would not violate the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution.**

The Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution forbids a State from "deny[ing] to any person within its jurisdiction the equal protection of the laws." U.S. Const. amend. XIV. In essence, this is a directive "that all persons similarly situated should be treated alike." \textit{City of Cleburne, Tex. v. Cleburne Living Ctr.}, 473 U.S. 432, 439 (1985).

"The general rule is that legislation is presumed to be valid and will be sustained" under the Equal Protection Clause "if the classification drawn by the statute is rationally related to a legitimate state interest." \textit{Id.} at 440. A more demanding level of scrutiny is warranted only if the statute "impermissibly interferes with the exercise of a fundamental right or operates to the peculiar disadvantage of a suspect class." \textit{Massachusetts Bd. of Ret. v. Murgia}, 427 U.S. 307, 312 (1976) (per curiam) (footnotes omitted). Neither of those conditions is present here.

To begin with, LB 670's criteria for emblems of belief do not discriminate against a suspect class. While "religion" is an "inherently suspect distinction[,]" \textit{City of New Orleans v. Dukes}, 427 U.S. 297, 303 (1976), LB
670 does not distinguish based on religion. The bill permits both (1) emblems of belief connected to religion and (2) emblems of belief related to "a sincerely held belief system" that is not religious but is "functionally equivalent to a religious belief system in the life of the decedent." LB 670, § 5(2)(c). Because LB 670 allows both religious and nonreligious emblems, it does not discriminate based on religion.

Nor does LB 670 infringe a fundamental right. The only potentially relevant fundamental right is freedom of expression protected by the Free Speech Clause of the First Amendment to the U.S. Constitution. See U.S. Const. amend. I (forbidding governments from "abridging the freedom of speech"). As explained above, LB 670's authorization of emblems of belief on the memorial signs creates a forum for private individuals to engage in expression. To determine whether the bill's parameters for those emblems violates the Free Speech Clause, it is first necessary to decide what type of speech forum LB 670 creates.

The U.S. Supreme Court has recognized three different kinds of forums for speech: (1) a traditional public forum; (2) a designated public forum; and (3) a nonpublic forum. A traditional public forum is a place, like a sidewalk or park, that has historically "been used for purposes of assembly, communicating thoughts between citizens, and discussing public questions." Perry Educ. Ass'n v. Perry Loc. Educators' Ass'n, 460 U.S. 37, 45 (1983). A designated public forum is a location, such as a public school's "meeting facilities" or a "municipal theater," id., that "has not traditionally been regarded as a public forum" but "is intentionally opened up for that purpose." Summum, 555 U.S. at 469. And a nonpublic forum is "a forum that is limited to use by certain groups or dedicated solely to the discussion of certain subjects." Id. at 470.

LB 670 creates a nonpublic forum. Government-created signs in public rights of way, unlike sidewalks or parks, are not places that have historically been used for private expression. Nor does LB 670 intentionally open memorial signs or rights of way for the widespread discussion of public questions. Rather, the government-created forum is limited to use by certain individuals (relatives of people killed on Nebraska roadways) and dedicated solely to certain subjects (safety and commemorative messages). That is a quintessential nonpublic forum.

In a nonpublic forum, the government may impose restrictions on speech that "reserve the forum for its intended purposes." Perry Educ. Ass'n, 460 U.S. at 46; see also Rosenberger v. Rector & Visitors of Univ. of Virginia, 515 U.S. 819, 830 (1995) (excluding certain content is "permissible if it preserves the purposes of that limited forum"). "Implicit in the concept of the nonpublic forum is the right to make distinctions in access on the basis of subject matter and speaker identity." Perry Educ. Ass'n, 460 U.S. at 49. It is well established that speech restrictions in a nonpublic forum are constitutional so long as they are (1) "reasonable in light of the purpose
which the forum at issue serves," id. at 49, and (2) "viewpoint neutral." Summum, 555 U.S. at 470.

LB 670's two main criteria for emblems of belief satisfy these requirements. The first criterion requires that the emblem represent a religion or "a sincerely held belief system that was functionally equivalent to a religious belief system in the life of the decedent." LB 670, § 5(2)(c). This limitation is reasonable in light of the forum's commemorative purpose. Death and the commemoration of death are closely tied to religion, religious beliefs, and other deeply held beliefs that are functionally equivalent to religion. It is thus sensible to restrict emblems of belief in this way. To be sure, LB 670 could have been drafted to allow applicants to choose "social, cultural, ethnic, civic, fraternal, trade, commercial, political, professional, or military emblems." Id. But it is not unreasonable for the legislature to exclude such symbols, perhaps worrying that some might lessen or detract from the solemn commemorative message that the memorial sign is supposed to convey. Moreover, restricting emblems to images associated with religion or a functionally equivalent belief system is viewpoint neutral. It identifies a permissible subject matter and allows varying views on those topics. This is a classic example of a content-based but viewpoint-neutral standard that is permitted in a nonpublic forum.

LB 670's second key criterion for emblems of belief prohibits imagery "that would have an adverse impact on the dignity and solemnity of the sign honoring the deceased person, including, but not limited to, emblems that contain explicit or graphic depictions or descriptions of sexual organs or sexual activities that are shocking, titillating, or pandering in nature and emblems that display coarse or abusive language or images." LB 670, § 5(2)(c). This too is directly related to the commemorative purpose of the sign. Emblems that harm the "dignity" of the deceased's memorial surely undercut the commemorative purpose of the forum. Therefore, it is reasonable for the government to exclude such images. Furthermore, this requirement excludes content in a viewpoint neutral manner. It does not matter if a "sexual," "coarse," or "abusive" image expresses a pro-religious or an anti-religious message—if it would undermine the dignity of the memorial, it is not permitted. The Free Speech Clause does not forbid such a modest effort to preserve the dignity of solemn memorials posted on the roadside for the public to see.

Since LB 670 does not infringe on a fundamental right or discriminate against a suspect class, any claim under the Equal Protection Clause would be subject to rational-basis review. City of Cleburne, 473 U.S. at 439. For all the reasons that the bill's restrictions are reasonable under the Free Speech Clause as discussed above, it easily withstands rational-basis review under the Equal Protection Clause. See Perry Educ. Ass'n, 460 U.S. at 54 ("We have rejected this contention [of impermissible content-based discrimination] when cast as a First Amendment argument, and it fares no better in equal protection garb."); OSU Student All. v. Ray, 699 F.3d 1053, 1067 (9th Cir. 2012) (observing that the "equal protection claims rise and fall
with the First Amendment claims" and that the U.S. Supreme Court "has noted that one analysis will often control both claims").

For these reasons, we conclude that the Department would not violate the Equal Protection Clause by denying an emblem of belief based on the criteria in LB 670.

CONCLUSION

Based on the information currently available to us, we conclude that LB 670 is constitutional. Allowing the deceased's relatives to choose from a diverse array of religious and nonreligious emblems of belief does not violate the Establishment Clause. And denying an emblem of belief that fails to conform to the prescribed criteria does not violate the Equal Protection Clause.

Very truly yours,
DOUGLAS J. PETERSON
(Signed) James A. Campbell
Assistant Attorney General

pc Patrick J. O'Donnell
Clerk of the Legislature

Opinion 21-016


REQUESTED BY: Senator Steve Erdman
Nebraska Legislature

WRITTEN BY: Douglas J. Peterson, Attorney General
L. Jay Bartel, Assistant Attorney General

INTRODUCTION

Persons who are "actively engaged in the teaching profession" are ineligible for membership on the State Board of Education ["State Board"]. Neb. Rev. Stat. § 79-313(1) (2014). You have asked our opinion on "two gray areas" concerning the meaning of this phrase. Restated, your specific questions are:

1. Does tutoring K-12 students for a stipend while serving on the State Board violate § 79-313(1)?

2. Does concurrently teaching high school students in a dual credit course offered at a community college, college, or university while serving on the State Board violate § 79-313(1)?
It is our long-standing policy not to provide opinions to members of the Legislature on the interpretation or constitutionality of existing statutes. Op. Att'y Gen. No. 157 (Dec. 24, 1985). Rather, we only issue opinions to state legislators which pertain "to pending or proposed legislation." Id. at 1. Although you reference no pending or proposed legislation, your request letter states you are considering introducing legislation to "clarify" the meaning of § 79-313. Accordingly, we will proceed to consider your questions.

CONSTITUTIONAL AND STATUTORY PROVISIONS

Neb. Const. art. VII, § 3, provides:

The State Board of Education shall be composed of eight members, who shall be elected from eight districts of substantially equal population as provided by the Legislature. Their term of office shall be for four years each. Their duties and powers shall be prescribed by the Legislature, and they shall receive no compensation, but shall be reimbursed their actual expense incurred in the performance of their duties. The members of the State Board of Education shall not be actively engaged in the educational profession and they shall be elected on a nonpartisan ballot. (emphasis added).

In addition, Neb. Rev. Stat. § 79-313 (2014) provides:

No person shall be eligible to membership on the State Board of Education (1) who is actively engaged in the teaching profession, (2) who is a holder of any state office or a member of a state board or commission unless the board or commission is limited to an advisory capacity, or (3) unless he or she is a citizen of the United States, a resident of the state for a period of at least six months, and a resident of the district from which he or she is elected for a period of at least six months immediately preceding his or her election. (emphasis added).

In Op. Att'y Gen. No. 02013 (April 11, 2002), we concluded that "educational profession" and "teaching profession" have the same meaning. The legislative history of § 79-313 indicates the statute was enacted in accordance with the constitutional amendment creating the State Board. We reasoned that construing "teaching profession" and "educational profession" to have the same meaning was consistent with Op. Att'y Gen. No. 95004 (January 18, 1995) and State ex rel. Brazda v. Marsh, 141 Neb. 817, 830, 5 N.W.2d 206, 214 (1942) ["Brazda"], holding that "when a state Constitution creates an office and names the qualifications of the incumbent, the legislature has no authority to prescribe additional qualifications or to remove any of the requirements provided for by the Constitution." Op. Att'y Gen. No. 02013 at 7. We concluded that if the terms had different meanings, § 79-313 could be construed to impose an additional eligibility requirement for membership on the State Board contrary to the rule in Brazda. Id. at 8.
We also "conclude[d] that 'teaching profession' and 'educational profession' include positions in a school setting other than teaching." Op. Att'y Gen. No. 02013 at 8. In reaching this conclusion, we noted an earlier opinion construing the prohibition in Neb. Rev. Stat. § 72-201(2) against a member of the Board of Educational Lands and Funds being actively engaged in the "teaching profession." We relied on the legislative intent language in Neb. Rev. Stat. § 79-1280, now codified as § 79-859, which "declares teaching in public schools in this state and the related services, including administrative and supervisory services, to be a profession, with all of the rights, responsibilities, and privileges accorded other recognized professions." Id. (citing Op. Att'y Gen. No. 33 at 2 (February 25, 1983)). Accordingly, "educational profession' as used in Neb. Const. art. VII, § 3 and 'teaching profession' as used in § 79-313 have the same meaning and that definition includes not only teaching but also services related to teaching, such as administrative and supervisory services." Op. Att'y Gen. No. 02013 at 9.

ANALYSIS

Recently, in State ex rel. Peterson v. Shively, 310 Neb. 1, 10-11, ___ N.W.2d ___, ___ (2021), the Nebraska Supreme Court recounted the following general rules governing the interpretation of constitutional provisions:

The words in a constitutional provision must be interpreted and understood in their most natural and obvious meaning unless the subject indicates or the text suggests that they are used in a technical sense. If the meaning of a constitutional provision is clear, the court will give to it the meaning that obviously would be accepted and understood by laypersons. Constitutional provisions are not subject to strict construction and receive a broader and more liberal construction than do statutes. It is the duty of courts to ascertain and to carry into effect the intent and purpose of the framers of the constitution or of an amendment thereto. (footnotes omitted).

"Educational" means "pertaining to education." https://www.dictionary.com/browse/educational. "Education" is "the act or process of imparting or acquiring knowledge, developing the powers of reasoning and judgment, and generally of preparing oneself or others intellectually for mature life." https://www.dictionary.com/browse/education. "Teaching" is "the act or profession of a person who teaches." https://www.dictionary.com/browse/teaching. "Profession" means "a vocation requiring knowledge or some department of learning or science; the body of persons engaged in an occupation or calling." https://www.dictionary.com/browse/profession.

Art. VII, § 3 and § 79-313(1) prohibit members of the State Board from being "actively engaged" in the educational or teaching profession. Construing the meaning of the term "actively engaged in the day to day
labor and management of" a farm or ranch in Neb. Const. art. XII, § 8, the Nebraska Supreme Court found the "most natural and obvious meaning" of "actively" is "constantly engaged." Hall v. Progress Pig, Inc., 259 Neb. 407, 414, 610 N.W.2d 420, 427-28 (2000).

Your first scenario involves a person tutoring K-12 students for a stipend. While you do not further define this role, a "tutor" ordinarily means "a person employed to instruct another in some branch or branches of learning, especially a private instructor." https://www.dictionary.com/browse/tutor. Teachers, as well as educational administrators and supervisors, are required to hold Nebraska certificates or permits. See Neb. Rev. Stat. §§ 79‑801 and 79‑802 (2014). While a tutor may be certificated, there is no statute or rule imposing such a requirement or regulating persons engaged in tutoring. While tutors provide instruction to students, this type of assistance does not seem to fall within the common understanding of what constitutes the "educational" or "teaching" profession. That is particularly true if the tutoring is not performed on a constant and regular basis, which would be necessary to meet the "actively engaged" requirement.

Your second question concerns teaching a course at a community college, college, or university where high school students can participate and receive dual credit. In 2008, this office issued an informal opinion to a member of the State Board addressing whether he could teach a class at the University of Nebraska at Omaha ["UNO"] in light of the constitutional requirement that members not be actively engaged in the educational profession. Op. Att'y Gen. No. I08012 (July 1, 2008). We noted the underlying objective of the prohibition against State Board members being actively engaged in the educational profession was "to prevent conflicts of interest." Id. at 3. The State Board, along with the Commissioner of Education, are "responsible for the general supervision and administration of the Nebraska school system, which encompasses grades Kindergarten through 12." Id. (emphasis in original). The member's proposed employment, however, involved teaching a class at UNO, which is not part of the Nebraska school system and not under the State Board's supervision. Because the potential for any conflict of interest due to the member's service on the State Board and teaching the class was "negligible," we concluded that the member's teaching of a class at UNO was likely permissible. Id. at 3-4.

Applying the reasoning of this opinion here, we find that a member's teaching of a community college, college, or university course likely does not constitute actively engaging in the "educational profession" within the prohibition in art. VII, § 3. While high school students would participate in the class for dual credit, the instruction is still part of a post K-12 educational curriculum, which is outside the State Board's general supervision. As there is no real potential conflict of interest posed by a member engaging in this activity, we doubt it would be construed as barred by the constitutional prohibition.
Finally we point out that, to the extent you contemplate legislation, bear in mind that the statutory prohibition against members of the State Board being "actively engaged in the teaching profession" in § 79-313(1) is based on, and has the same meaning as, the constitutional prohibition in art. VII, § 3, against members being "actively engaged in the educational profession." "The Legislature's power of definition may not be employed to nullify or circumvent the provisions of the Nebraska Constitution." MAPCO Ammonia Pipeline, Inc. v. State Bd. of Equalization & Assessment, 238 Neb. 565, 571, 471 N.W.2d 734, 739 (1991). Any legislative attempt to amend the statutory prohibition in § 79-313 must be consistent with the intent and meaning of the constitutional requirement that State Board members not be actively engaged in the educational profession.

Very truly yours,
DOUGLAS J. PETERSON
(Signed) L. Jay Bartel
Assistant Attorney General

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

Opinion 21-018
SUBJECT: Constitutionality of the Absence of a Voter Petition Process for Reorganization of School Districts That Are Members of a Learning Community
REQUESTED BY: Senator Robert Hilkemann
Nebraska Legislature
WRITTEN BY: Douglas J. Peterson, Attorney General
Leslie S. Donley, Assistant Attorney General

INTRODUCTION

You have requested an opinion of the Attorney General as to the constitutionality of certain school reorganization statutes which impact the Learning Community of Douglas and Sarpy Counties ("Learning Community"). You state in your request letter that voters in Nebraska "generally have the statutory right to petition to reorganize their school district," but voters who reside within a learning community "are expressly deprived of this petition right." You point to the difference between statutes which authorize legal voters to petition for school reorganization and the Learning Community Reorganization Act ("LCRA"), Neb. Rev. Stat. §§ 79-4,117 to 79-4,129 (2014, Cum. Supp. 2020), where plans for reorganization may only be proposed by the school boards of the affected districts. In this respect, you state that "in any public school district
anywhere in Nebraska other than Douglas and Sarpy Counties, the voters may petition for the reorganization of their district, notwithstanding the views of their school board members. But voters in my district—and indeed in the entire Learning Community of Douglas and Sarpy Counties—lack this petition right." (Your emphasis.)

You indicate that you "have concerns regarding the constitutionality of the differentiated treatment" of Nebraskans under the school district reorganization law. As you consider legislation to address this issue, you have sought our opinion on the following questions:

1. Would Nebraska's exclusion of learning community voters from the school district reorganization petition right otherwise afforded to every other voter in the state withstand equal protection scrutiny under the Nebraska and federal Constitutions?

This question includes, but is not limited to, the following subissues:

a. Would the petition right afforded under the Reorganization of School Districts Act sufficiently parallel the fundamental right to petition guaranteed by the First Amendment, such that Nebraska's exclusion of learning community voters from the reorganization petition right would be subject to a heightened—i.e., greater than rational basis—level of judicial scrutiny?

b. Even if Nebraska's exclusion of learning community voters from the reorganization petition right is subject only to rational basis scrutiny, what legitimate interest does the state have in restricting the reorganization initiation right to school boards in learning communities, but not everywhere else in the state?

2. Other than equal protection, would the exclusion of learning community voters from the reorganization petition right suffer from any other constitutional infirmity known to the Attorney General, including, but not limited to, violating the special legislation clause under Article III, Section 18 of the Nebraska Constitution?

**BACKGROUND**

In 2006, the Nebraska Legislature enacted LB 1024, creating "a new type of educational service unit . . . to be referred to as a learning community." Neb. Rev. Stat. § 79-2101 (2014) defines learning community as "a political subdivision which shares the territory of member school districts and is governed by a learning community coordinating council." Pursuant to Neb. Rev. Stat. § 79-2102 (2014), "[a] learning community shall be established for each city of the metropolitan class and shall include all school districts for which the principal office of the school district is located in the county where the city of the metropolitan class is located and all school districts for which the principal office of the school district is located in a county that
has a contiguous border of at least five miles in the aggregate with such city of the metropolitan class."


(1) The State Committee for the Reorganization of School Districts ("State Committee") created under section 79-435 may create a new school district from other districts or change the boundaries of any district that is not a member of a learning community upon receipt of petitions signed by sixty percent of the legal voters of each district affected. If the petitions contain signatures of at least sixty-five percent of the legal voters of each district affected, the state committee shall approve the petitions.

(2) Petitions proposing to change the boundaries of existing school districts that are not members of a learning community through the transfer of a parcel of land, not to exceed six hundred forty acres, shall be approved by the state committee when the petitions involve the transfer of land between Class III or IV school districts or when there would be an exchange of parcels of land between Class III or IV school districts and the petitions have the approval of at least sixty-five percent of the school board of each affected district.

(3)(a) Petitions proposing to create a new school district or to change the boundary lines of existing school districts that are not members of a learning community, any of which involves the transfer of more than six hundred forty acres, shall, when signed by at least sixty percent of the legal voters in each district affected, be submitted to the state committee. The state committee shall, within forty days after receipt of the petition, hold one or more public hearings and review and approve or disapprove such proposal.  

Neb. Rev. Stat. § 79-413 (Cum. Supp. 2020). Under this provision, petitions must contain the items listed in § 79-419 when a new district is created from other districts. In addition, § 79-415 provides that petitions "may be initiated and accepted by the school board or board of education of any district that is not a member of a learning community."

"Reorganization" under the LCRA "means the formation of new school districts that will become members of a learning community, the alteration of boundaries of established school districts that are members of a learning community, the dissolution or disorganization of established school districts that are members of a learning community through or by means of any one or combination of the methods set out in section 79-4,120, and any other alteration of school district boundaries involving a school district that is a member of a learning community . . . ." Neb. Rev. Stat. § 79-4,118(2)
Reorganization is accomplished by one or more of the following methods:

1. The creation of new districts;
2. The uniting of one or more established districts;
3. The subdivision of one or more established districts;
4. The transfer and attachment to an established district of a part of the territory of one or more districts; and
5. The dissolution or disorganization of an established district for any of the reasons specified by law.

Neb. Rev. Stat. § 79-4,120 (2014). Pursuant to § 79-4,126(1), "[t]he school board of any school district in a learning community may propose a plan of reorganization." Such plan may be submitted to the State Committee when approved by "at least sixty percent of the members of the school board of each affected school district . . . ." Id. The contents of any plan must include the items set out in § 79-4,123, including

[a] summary of the reasons for each proposed change, realignment, or adjustment of the boundaries which shall include, but not be limited to, an explanation of how the plan complies with any statutory requirements for learning community organization and an assurance that the plan does not increase the geographic size of any school district that has more than twenty-five thousand formula students for the most recent certification of state aid pursuant to section 79-1022[.]

The State Committee is required to hold one or more public hearings on any plan of reorganization prior to approval. § 79-4,122. In determining whether to approve a plan, the State Committee must consider the following criteria:

1. the educational needs of pupils in the learning community,
2. economies in administration costs,
3. the future use of existing satisfactory school buildings, sites, and play fields,
4. the convenience and welfare of pupils,
5. transportation requirements,
6. the equalization of the educational opportunity of pupils,
7. the amount of outstanding indebtedness of each district and proposed disposition thereof,
8. the equitable adjustment of all property, debts, and liabilities among the districts involved,
9. any additional statutory requirements for learning community organization, and
10. any other matters which, in its judgment, are of importance.

§ 79-4,121. Once the State Committee approves a plan or part of a plan, it shall be designated as the "final approved plan" and submitted to the county clerk pursuant to § 79-4,128 and to the boards of the affected school districts. § 79-4,126(2).

ANALYSIS
The Fourteenth Amendment of the U.S. Constitution prohibits the state from "deny[ing] to any person within its jurisdiction the equal protection of the laws." U.S. Const., amend XIV, § 1. Article I, § 3 of the Nebraska Constitution states that "[n]o person shall be deprived of life, liberty, or property, without due process of law, nor be denied equal protection of the laws." When a statute is challenged under the Equal Protection Clause, "[t]he general rule is that legislation is presumed to be valid and will be sustained if the classification drawn by the statute is rationally related to a legitimate state interest." City of Cleburne v. Cleburne Living Center, 473 U.S. 432, 440 (1985); Pick v. Nelson, 247 Neb. 487, 528 N.W.2d 309 (1995); Robotham v. State, 241 Neb. 379, 488 N.W.2d 533 (1992). "When a classification created by state action does not jeopardize the exercise of a fundamental right or categorize because of an inherently suspect characteristic, the Equal Protection Clause requires only that the classification rationally further a legitimate state interest." Citizens of Decatur for Equal Educ. v. Lyons-Decatur School Dist., 274 Neb. 278, 303, 739 N.W.2d 742, 763 (2007) ["Citizens of Decatur"].

I. The Equal Protection Clause Protects People, Not Geographic Areas.

In Hawkins v. Johanns, 88 F. Supp. 2d 1027 (D. Neb. 2000) ["Hawkins"], the court considered an equal protection challenge brought by residents of Class I (elementary only) school districts. At issue were statutes that required association between Class I districts and other districts (Class II-VI) and imposed restrictions on Class I districts pertaining to budgets, tax levies, special building funds, and merger, dissolution or reorganization. The plaintiffs claimed they were treated differently because their school districts lacked the same powers as the other districts in the state. Prior to determining the level of scrutiny to be applied, the court noted that "the Equal Protection Clause protects people and not places, such as political subdivisions of a state," citing Missouri v. Lewis, 101 U.S. 22 (1879) ["Lewis"]. Id. at 1042. In Lewis, the U.S. Supreme Court upheld a Missouri law that gave all citizens in the state, except those residing in four counties and the City of St. Louis, a right to appeal to the Missouri Supreme Court. The Court observed that

each State has the right to make political subdivisions of its territory for municipal purposes, and to regulate their local government. . . . The Fourteenth Amendment does not profess to secure to all persons in the United States the benefit of the same laws and the same remedies. Great diversities in these respects may exist in two States separated only by an imaginary line. . . . If diversities of laws and judicial proceedings may exist in the several States without violating the equality clause in the Fourteenth Amendment, there is no solid reason why there may not be such diversities in different parts of the same State.

Lewis, 101 U.S. at 30-31. The Hawkins court stated that "the Lewis rule applies where the statutory rights of citizens of a state are unequal because
of the way in which that state has created and empowered political subdivisions." Hawkins, 88 F. Supp. 2d at 1042. The court further stated that

[1]he Lewis doctrine stands for the proposition that such inequality of power does not (1) warrant an inference that the Equal Protection Clause is violated or (2) permit the court to ignore the separate identities and boundaries of the subdivisions when it conducts an equal protection analysis. Therefore, in deciding what level of scrutiny to apply, we start with the assumption that the State of Nebraska is free to create political subdivisions even though Nebraska's law lands unequally on the residents of those subdivisions. To put it simply, the court should not be suspicious of differences created by political subdivisions.

Id. at 1042-1043.5

Courts in other jurisdictions have applied the Lewis rule when the distinctions at issue are geographically based. In Salsburg v. Maryland, 346 U.S. 545 (1954), the U.S. Supreme Court considered the validity of a criminal statute that made illegally procured evidence inadmissible except in prosecutions in one particular county for violations of state gambling laws. The Court found that the statute did not violate equal protection of the law, stating: "We find little substance to appellant's claim that distinctions based on county areas are necessarily so unreasonable as to deprive him of the equal protection of the laws guaranteed by the Federal Constitution. The Equal Protection Clause relates to equality between persons as such rather than between areas. . . . Territorial uniformity is not a constitutional requisite." Id. at 550-552. See also McGowan v. Maryland, 366 U.S. 420 (1961) (Sunday closing laws that discriminated between various counties held not to violate equal protection.); Reeder v. Kansas City Board of Police Commissioners, 796 F.2d 1050, 1053 (8th Cir. 1986) ("So long as all persons within the jurisdictional reach of the statute are equally affected by the law, it matters not that those outside the territorial reach of the law are free to behave differently."); Sherwood School Dist. 88J v. Washington Cty. Education Service Dist., 167 Or. App. 372, 6 P.3d 518 (2000) ["Sherwood"] (Statute which denied voters within affected geographical area the right to bring remonstrance petition, where the statute was intended to resolve longstanding dispute between school districts and improve traffic flow in the affected areas, found not to violate equal protection.).

You assert in your request letter that legal voters in the Learning Community are expressly denied the petition right given to the voters in all other public school districts in the state. While the Learning Community may share the territory of member school districts, it is not a school district. It is a separate and distinct political subdivision, governed by a coordinating council. The Learning Community is a clear example of how the statutory rights of citizens are inequal based on how the Legislature "created and empowered political subdivisions." Based on Lewis and its progeny, no equal protection violation is implicated by the fact that legal voters outside
the Learning Community have a right to petition for school boundary changes, while Learning Community voters do not.

II. The Legal Voters in the Learning Community Have No Right to Petition to Change School District Boundaries.

Neb. Const. art. VII, § 1 states, in part: "The Legislature shall provide for the free instruction in the common schools of this state of all persons between the ages of five and twenty-one years." "What methods and what means should be adopted in order to furnish free instruction to the children of the state has been left by the constitution to the legislature." Affolder v. State, 51 Neb. 91, 93, 70 N.W. 544, 545 (1897). "Nebraska's constitutional history shows that the people of Nebraska have repeatedly left school funding decisions to the Legislature's discretion." Nebraska Coalition for Educational Equity and Adequacy v. Heineman, 273 Neb. 531, 550, 731 N.W.2d 164, 179 (2007). "This provision of the Constitution leaves all matters pertaining to schools and school districts, their creation, dissolution, government, and control with the Legislature. In all such matters the State is supreme." Farrell v. School Dist. No. 54, Lincoln Cty., 164 Neb. 853, 858, 84 N.W.2d 126, 131 (1957). In Halstead v. Rozmiarek, 167 Neb. 652, 660-661, 94 N.W.2d 37, 43-44 (1959), the Nebraska Supreme Court stated:

A school district in this state has no territorial integrity. It is subject to the reserve power of the state exercised through administrative authority to change its territory according to current educational needs and good educational principles. The state may change or repeal all powers of a school district, take without compensation its property, expand or restrict its territorial area, unite the whole or a part of it with another subdivision or agency of the state, or destroy the district with or without the consent of the citizens.

See also Petition of DeJonge, 179 Neb. 539, 545, 139 N.W.2d 296, 300 (1966) ("The state is supreme in the creation and control of school districts and may as it thinks proper, modify or withdraw any of their powers, or destroy such school districts without consent of residents thereof, or even over their protests."); Kaup v. Sweet, 187 Neb. 226, 229, 188 N.W.2d 891, 894 (1971) ("[T]he Legislature has plenary power over the boundaries of school districts."); Clark v. Sweet, 187 Neb. 232, 234, 188 N.W.2d 889, 891 (1971) ("[T]he inhabitants of school districts have no vested rights in the territorial integrity of school districts."); McDonald v. Rentfrow, 176 Neb. 796, 800, 127 N.W.2d 480, 483 (1964) ("The fixing of boundaries of school districts is exclusively a legislative function, and it may be properly delegated to a subordinate agency, providing the Legislature prescribes the manner and the standards under which the power of the designated board may be exercised."); and 78 C.J.S., Schools and School Districts, § 15 ("The formation of school districts is a governmental function and, generally, a state legislative function. . . . [T]he legislature has power to create, abolish, divide, merge or alter school districts, or to prescribe or change the form of
organization and functions of school districts, and its power is plenary, or unrestricted, but may be delegated.

The Legislature has the sole power to determine school district boundaries. It has delegated some of this authority with the enactment of the petition process provisions in §§79-413–79-422, the RSDA and the LCRA, among others. Those statutes set out the procedures through which school reorganization may be achieved at the local level and represent the current official policy of school reorganization in Nebraska. Since the Legislature's power with respect to school district's boundaries is supreme, there is no right, either express or implied, to petition for school boundary changes.

III. The First Amendment Right to Petition the Government for Redress of Grievances Does Not "Sufficiently Parallel" the Petition Right Authorized in § 79-413 et seq.

The First Amendment provides that "Congress shall make no law . . . abridging . . . the right of the people . . . to petition the government for a redress of grievances." U.S. Const. amend. XIV. The Nebraska Constitution also provides that "[t]he right of the people peaceably to assemble to consult for the common good, and to petition the government, or any department thereof, shall never be abridged." Neb. Const. art. I, § 19. "The very idea of a government, republican in form, implies a right on the part of its citizens to meet peaceably for consultation in respect to public affairs and to petition for a redress of grievances." U.S. v. Cruikshank, 92 U.S. 542, 552 (1875). "The right to petition is cut from the same cloth as the other guarantees of [the First Amendment], and is an assurance of a particular freedom of expression." McDonald v. Smith, 472 U.S. 479, 482 (1985). "[T]he rights to assemble peaceably and to petition for a redress of grievances are among the most precious of the liberties safeguarded by the Bill of Rights. These rights, moreover, are intimately connected both in origin and in purpose, with the other First Amendment rights of free speech and free press." United Mine Workers of America, Dist. 12 v. Illinois State Bar Ass'n, 389 U.S. 217, 222 (1967).

With these principles in mind, we have considered your question as to whether the right to petition for a boundary change sufficiently parallels the First Amendment right to petition such that the exclusion of the petition process for Learning Community voters would be subject to a heightened level of scrutiny, i.e., above rational basis. In this respect, we have identified no cases which would establish, infer or suggest that the constitutional right to petition the government is in any way analogous to petitioning the government to change a school district boundary which, as previously discussed, is strictly a legislative function. For example, in Baptiste v. Kenneally, 490 F. Supp. 3d 353 (D. Mass. 2020), a recent case involving a challenge to the legislative moratorium on residential evictions due to the COVID-19 emergency, the court stated:

"In a nutshell, while there is a constitutional right to court access, there is no complementary constitutional right to receive or be eligible for a particular form of relief." Inmates of Suffolk Cnty. Jail, 129 F.3d at 660. This means that a legislature may, among other things, alter rights and remedies without violating the First Amendment right to petition if doing so does not violate another guarantee of the United States Constitution.

Id. at 393. See also Santa Fe (Alliance members' right to petition the government was not violated under telecommunications legislation because local officials could not adopt their desired outcome and because the members could not prevail on legal claims seeking compensation for injuries allegedly caused by radio-frequency emissions.); Doherty v. Merck & Co., Inc., 892 F.3d 493 (1st Cir. 2018) (Maine statute prohibiting wrongful birth actions did not infringe on patient's First Amendment right to petition.); Patchak v. Jewell, 828 F.3d 995 (D.C. Cir. 2016) (Legislation which removed federal court jurisdiction over any claims relating to Indian land taken into trust on behalf of the tribe for casino use did not violate resident's First Amendment right to petition.); Ruiz v. Hull, 191 Ariz. 441, 457, 957 P.2d 984, 1000 (1998), cert. denied, 525 U.S. 1093 (1999) ("The right to petition bars state action interfering with access to the legislature, the executive branch and its various agencies, and the judicial branch."); Highland Park Women's Club v. Dept. of Revenue, 206 Ill. App. 3d 447, 459, 564 N.E.2d 890, 897 (1990) (The First Amendment right to petition did not entitle plaintiff to a specific administrative remedy; the right only "entitles citizens to communicate and address their government in matters which they deem to be important and to lodge complaints with appropriate governmental agencies.").

Legal voters in the Learning Community have a First Amendment right to bring their district boundary concerns to their local school boards, the Learning Community Coordinating Council, county boards, the State Committee, the Nebraska Legislature, the governor, etc. Learning Community voters do not have a First Amendment right to a specific remedy or outcome, i.e., a boundary change. Since the First Amendment right is inapposite to the petition right set out in the reorganization statutes,
there is no basis to apply a heightened level of scrutiny to the challenge presented.


We will now turn to your question as to whether the absence of a petition process for Learning Community voters violates the Equal Protection Clause or art. I, § 3. Since the classification does not implicate a fundamental right or suspect class, any challenge would be subject to rational basis scrutiny. Moreover, "[u]nder the Fourteenth Amendment, differentiation on the basis of geographic location is subject to rational basis analysis only. Sherwood, 167 Or. App. at 393, 6 P.3d at 531. Under that standard, Nebraska would have to demonstrate that the absence of the petition process for Learning Community voters is based upon a legitimate public purpose and that the separate classification bears a reasonable relation to that purpose.


In Sarpy Cty. Farm Bureau, the Nebraska Supreme Court considered an action brought by three taxpayers seeking a declaration that the Learning Community's common general fund levy was unconstitutional. The court's summary of the "extensive" legislative history of the Learning Community indicates that during the committee hearing, the principal introducer of LB 1024 stated that the bill "was intended to address 'the metro area school organization issue.'" Id. at 232, 808 N.W.2d at 614. This issue involved an attempt by Omaha Public Schools ("OPS") to "expand its school district boundaries to the city limits of Omaha . . . ." Id. at 233, 808 N.W.2d at 614. The plan, known as "One City, One School District," was predicated on two statutes: Section 79-409, which provided in part that "[e]ach incorporated city of the metropolitan class in the State of Nebraska shall constitute one Class V school district" (2003) and § 79-535 ("All schools erected or organized within the limits of cities of the metropolitan class shall be under the direction and control of the board of education . . . .") (2003). Under the plan, OPS would assume control of a number of schools currently in the Millard and Ralston school districts located within the boundaries of the City of Omaha. In addition, schools located within Elkhorn Public Schools would be subject to the same proposal in the event the City of Elkhorn was annexed into the City of Omaha.
At an open meeting on June 6, 2005, the OPS Board of Education unanimously adopted a resolution directing OPS administration and legal counsel "to take all necessary steps to assure that all schools organized or existing within the city of Omaha are under the direction of the [OPS] Board of Education, that all property and students within the city of Omaha are part of [OPS], that [OPS] has the means necessary to provide the necessary education to all such students, and to otherwise carry out the intent of the Legislature that as the city of Omaha grows, Omaha Public Schools also grow." Minutes of the OPS Board of Education, June 6, 2005 at 27, 28. The proposal came in the midst of pending litigation brought by OPS in 2003 seeking a declaration in the Douglas County District Court that the state's school funding system was unconstitutional. See Douglas County School District 0001 a/k/a Omaha Public Schools, et al. v. Heineman, Doc. 1028, No. 017, Douglas County District Court (JUSTICE Case No. CI 10 9348401).

During floor debate on LB 1024, Senator Raikes described the gains to be made by enacting LB 1024:

We achieve an opportunity for cooperation between school districts that is locally directed. The benefit of individual school districts and the variety of choices they offer students and parents is retained. The financial underpinnings of districts are made more equitable. Student mobility and opportunity [are] enhanced, and the possibility of focus programs or campuses that serve the entire metro area is created.

Id. at 232, 808 N.W.2d at 614. The court noted that the legislative history also reflects concern about educational issues unique to a metropolitan area. One senator stated that L.B. 1024 encouraged "suburban districts" "to be involved with the urban district in making sure that all children have the best opportunities for educational success." The principal introducer of L.B. 1024 stated, "One of the main objectives of the learning community is to address . . . the issue of integration within the entire learning community . . . ." He stated that the legislation "basically involves a cooperative arrangement for funding, for addressing building needs, and for addressing whatever student mobility issues and educational opportunity issues that may be available, and the last may be the most important." Another senator described the learning community structure as one in which the member districts are "interrelated," explaining, "We're trying to find a way to bring better delivery of services, to bring the benefits of local control and shared responsibilities in the larger group all together in one bill . . . ."

Id. at 234, 808 N.W.2d at 615 (internal citations omitted).

The legislative history of LB 641 in 2007 included further discussion on the boundary issues that precipitated LB 1024:
So you had a situation in June of 2005 where, all of a sudden, this policy was to be put in place and a huge amount of disruption resulted, amounting to taking over school buildings put there by other districts, operated by other districts, in addition to changing district allegiances and so on and so forth. We were left at that time with the proposition or the issue of, if you believe one city, one school district is a good policy—and I do, for the reasons I have mentioned—how do you adjust state policy given the situation that had arisen? The answer that was offered at that time, and I think has remained throughout the discussion which dates back more than two years now, involves five key components. In the metro area specifically, there should be a two-county area involved in public education that involves both the cooperation and competition among public school districts. There should be shared financial resource. There should be governance relating both to the individual school districts and to the cooperative involving all the school districts. And there should be a combined dedication to the expansion of educational opportunities for students, as well as diversity opportunities for students.

Floor Debate on LB 641, 100th Neb. Leg., 1st Sess. 55 (May 9, 2007) (Statement of Sen. Raikes).

"The Legislature has plenary legislative authority except as limited by the state and federal Constitutions." Pony Lake School Dist. 30 v. State Comm. for Reorganization of School Districts, 271 Neb. 173, 181, 710 N.W.2d 609, 618 (2006). "The Nebraska Constitution is not a grant, but, rather, is a restriction on legislative power, and the Legislature may legislate on any subject not inhibited by the constitution." State ex rel. Peterson v. Shively, 310 Neb. 1, 11, 963 N.W.2d 508, 516 (2021). As noted in Hawkins, "in order to meet changing conditions, [v]iable local governments may need many innovations, numerous combinations of old and new devices, [and] great flexibility in municipal arrangements . . . ." Hawkins, 88 F. Supp. 2d at 1045 (quoting Sailors v. Board of Education of Kent Cty., 387 U.S. 105, 110 (1967)). The legislative history reveals that the Legislature created a learning community to address the "metro area issue" created by OPS' One City, One School District proposal. A learning community was established for the purpose of working to integrate our schools, for the purpose of creating a common levy, for the purpose of trying to address the problems in Omaha." Sarpy Cty. Farm Bureau, 283 Neb. at 233, 808 N.W.2d at 614. Based on the foregoing, the Legislature had a legitimate government purpose for enacting LB 1024, which included a unique reorganization scheme for school districts within the newly formed entity. And so long as the voters residing within the Learning Community are treated similarly under the LCRA, there is no equal protection violation.

Your final question asks whether the absence of a petition process would violate any other portion of the Nebraska Constitution, including the prohibition against special legislation in Neb. Const. art. III, § 18. This provision states, in pertinent part:

The Legislature shall not pass local or special laws in any of the following cases, that is to say: . . . Granting to any corporation, association, or individual any special or exclusive privileges, immunity, or franchise whatever . . . . In all other cases where a general law can be made applicable, no special law shall be enacted.

The Nebraska Supreme Court has determined that "[b]y definition, a legislative act is general, and not special, if it operates alike on all persons of a class or on persons who are brought within the relations and circumstances provided for and if the classification so adopted by the Legislature has a basis in reason and is not purely arbitrary." Haman v. Marsh, 237 Neb. 699, 709, 467 N.W.2d 836, 844 (1991) ["Haman"]. "A legislative act that applies only to particular individuals or things of a class is special legislation." Id.

"A legislative act can violate Neb. Const. art. III, § 18, as special legislation in one of two ways: (1) by creating a totally arbitrary and unreasonable method of classification, or (2) by creating a permanently closed class." Id. at 709, 467 N.W.2d at 845. "A special legislation analysis focuses on a legislative body's purpose in creating a challenged class and asks if there is a substantial difference of circumstances to suggest the expediency of diverse legislation." J.M. v. Hobbs, 288 Neb. 546, 557, 849 N.W.2d 480, 489 (2014). "The prohibition aims to prevent legislation that arbitrarily benefits a special class." Id. [L]egislative classifications must be real and not illusive; they cannot be based on distinctions without a substantial difference." Id. at 558, 849 N.W.2d at 489. "A legislative body's distinctive treatment of a class is proper if the class has some reasonable distinction from other subjects of a like general character." Big John's Billiards, Inc. v. State, 288 Neb. 938, 945, 852 N.W.2d 727, 735 (2014) ["Big John's"]. "And that distinction must bear some reasonable relation to the legitimate objectives and purposes of the legislative act." Id. Since no closed class is implicated here, the question is whether the distinction created in the reorganization statutes for legal voters residing within the Learning Community establishes an arbitrary and unreasonable classification.

Applying these principles to the petition process statutes and the LCRA, we believe that the distinctions presented do not violate art. III, § 18. As discussed in Section IV. above, the Legislature created a new kind of political subdivision to address the "metro area issue." The decision was made to create a two-county system comprised of member school districts. The school districts retained their individual governance, but are subject to the collective governance of the coordinating council. Thus, a substantial difference of circumstances exists to warrant diverse legislation on the matter of reorganization. Consequently, for all the reasons that the LCRA is
reasonable under the rational-basis test, it is also reasonable under a special legislation review.

Finally, "[a] statute is presumed to be constitutional, and all reasonable doubts are resolved in favor of its constitutionality." Sarpy Cty. Farm Bureau, 283 Neb. at 239, 808 N.W.2d at 618. "[T]he unconstitutionality of a statute must be clearly established before it will be declared void." State ex rel. Stenberg v. Omaha Racing and Exposition, Inc., 263 Neb. 991, 992, 644 N.W.2d 563, 565 (2002). "The burden of establishing the unconstitutionality of a statute is on the one attacking its validity." Big John's, 288 Neb. at 943-944, 852 N.W.2d at 734.

CONCLUSION

Neb. Const. art. VII, § 1 leaves all matters pertaining to schools and school districts to the Legislature, and its power is supreme. In this respect, the legal voters of the Learning Community have neither an express nor fundamental right to petition for school boundary changes. The First Amendment right to petition the government for redress of grievances is not analogous to petitioning the government for a boundary change. Thus, no greater judicial scrutiny than rational basis review is warranted. The fact that the statutory rights of citizens may be unequal in different areas of the state does not implicate an equal protection violation. The legislative history of 2006 Neb. Laws LB 1024 demonstrates that the Legislature had a legitimate public purpose for establishing a learning community to address the metro area organization issue, create cooperation and competition among school districts, share resources, and expand educational and diversity opportunities for students, among other things. Such legislation, including a specific reorganization scheme for member school districts, is neither arbitrary nor irrational. Consequently, it is the opinion of this office that the absence of a voter petition process for school district reorganization for legal voters in the Learning Community does not violate the Equal Protection Clause, Neb. Const. art. I, § 3, or art. III, § 18.

Sincerely,

DOUGLAS J. PETERSON
(Signed) Leslie S. Donley
Assistant Attorney General

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

49-2824-29

1 The member school districts in the Learning Community include Bellevue, Bennington, Douglas County West, Elkhorn, Gretna, Millard, Omaha, Papillion-La Vista, Ralston, Springfield Platteview, and Westside.

3 Under the RSDA, school boards may file plans of reorganization with the State Committee. § 79-441. Prior to completion or approval, the State Committee is required to hold a public hearing or hearings regarding the proposed plan. § 79-442. Within thirty days of holding the hearing(s), the State Committee must notify the school district as to whether it approves or disapproves the proposed plan. § 79-444. An approved plan must contain the items listed in § 79-443, e.g., a map showing both established and proposed boundaries. A "final approved plan" is then returned to the school district to be submitted to the voters of the affected districts at a special election. § 79-446. Rules pertaining to the special election are set out in § 79-447. If the proposed plan is adopted, the county clerk shall implement the changes proposed in the plan. § 79-450.

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

5 Applying a rational basis level of scrutiny, the Hawkins court found that the Legislature had a legitimate government purpose in enacting the challenged statutes. "By using an ingenious strategy, Nebraska hoped to promote tax equity, educational effectiveness, and cost efficiency while still maintaining the separate identities of various political subdivisions." Id. at 1046. The court further found that "the relationship between the governmental purpose and the challenged statutes is neither arbitrary nor irrational." Id. The court concluded that "Nebraska's innovation in the reorganization of Class I school districts is rationally related to a legitimate governmental purpose and such an experiment is, therefore, not violative of the Constitutional guarantee of equal protection." Id. at 1047.

6 "A suspect class is one that has been "saddled with such disabilities, or subjected to such a history of purposeful unequal treatment . . . as to command extraordinary protection from the majoritarian political process."

Citizens of Decatur, 274 Neb. at 303, 739 N.W.2d at 762.

COMMUNICATION(S)

Received a copy of HCR 2023 from the state of Arizona relating to the State of Arizona's opposition to any Federal action infringing on Arizona's constitutional power to manage, control and administer elections.

COMMUNICATION(S)

December 1, 2021

Patrick O'Donnell
Clerk of the Legislature
State Capitol
Lincoln NE 68508
Good Morning,

We are writing to inform you of the delay in the issuance of the Annual Comprehensive Financial Report (ACFR) for the fiscal year ended June 30, 2021. Auditing standards state that we are responsible for communicating significant matters related to the financial statement audit that are, in the auditor's professional judgment, relevant to the responsibilities of those charged with governance. In accordance with Neb. Rev. Stat. § 81-1125.01, the Director of Administrative Services is to provide the audited ACFR at least twenty days before the commencement of each regular session of the Legislature. However, based on the current progress of the ACFR and backlog of items still to be completed by the Department of Administrative Services (DAS), for the Auditor of Public Accounts (APA) to audit, the ACFR will not be completed by the statutory deadline of December 16, 2021.

Our process for completing the audit of the ACFR involves an extensive list of items that were to be provided by DAS, by certain dates to assist with meeting the statutory deadline. There are over 100 items that have exceeded the communicated dates and are yet to be provided to the APA. When those items are provided, our office will need sufficient time to perform auditing procedures to ensure the financials are materially correct for our opinion. In addition to the delay of items provided, the APA has also encountered significant errors in those items audited to date. At this time we have proposed 45 adjustments to the financial statements totaling nearly $7 billion. We have also concluded that the Unemployment Insurance Fund will have a modified opinion as neither DAS nor the Department of Labor were able to provide accurate financial statements for the fund.

Given the items noted above, we feel it necessary at this time to communicate the situation to you, so you are aware of the expected noncompliance and the delay in the ACFR for this year.

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

Thank you,

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

ANNOUNCEMENT(S)

Priority designation(s) received:

Halloran - LR14
BILLS ON FIRST READING

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

**LEGISLATIVE BILL 685.** Introduced by Executive Board: Hughes, 44, Chairperson.

A BILL FOR AN ACT relating to appropriations; to eliminate obsolete provisions appropriating funds for FY2017-18 and FY2018-19; and to outright repeal section 90-561, Revised Statutes Cumulative Supplement, 2020.

**LEGISLATIVE BILL 686.** Introduced by Hughes, 44.

A BILL FOR AN ACT relating to the Legislature; to amend section 50-401.01, Reissue Revised Statutes of Nebraska; to change the composition of the Executive Board of the Legislative Council; and to repeal the original section.

**LEGISLATIVE BILL 687.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Supplement, 2021; to adopt the Property Tax Circuit Breaker Act; to harmonize provisions; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 688.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-6702 and 81-12,193, Revised Statutes Cumulative Supplement, 2020, and sections 77-6703 and 84-612, Revised Statutes Supplement, 2021; to adopt the Property Tax Reduction Act; to eliminate credits under the Nebraska Property Tax Incentive Act; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 689.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to the Nebraska Uniform Limited Liability Company Act; to amend section 21-192, Revised Statutes Supplement, 2021; to change provisions relating to fees; and to repeal the original section.

**LEGISLATIVE BILL 690.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to education; to amend section 79-807, Revised Statutes Cumulative Supplement, 2020; to redefine a term; and to repeal the original section.

**LEGISLATIVE BILL 691.** Introduced by Blood, 3.
A BILL FOR AN ACT relating to the Address Confidentiality Act; to amend section 42-1202, Reissue Revised Statutes of Nebraska, and sections 42-1203, 42-1204, and 42-1209, Revised Statutes Cumulative Supplement, 2020; to provide enrollment eligibility to kidnapping survivors; to define a term; and to repeal the original sections.

LEGISLATIVE BILL 692. Introduced by Blood, 3.

A BILL FOR AN ACT relating to civil actions; to prohibit causing sexual contact when a condom has been removed without consent as prescribed; to provide for a civil action; and to define a term.

LEGISLATIVE BILL 693. Introduced by Blood, 3.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 60-3,184, 60-3,185, 60-3,189, 60-3,190, 77-202.23, and 77-202.24, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change provisions relating to motor vehicle tax exemptions, motor vehicle fee exemptions, and property tax exemptions for certain veterans; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 694. Introduced by Blood, 3.

A BILL FOR AN ACT relating to civil actions; to amend section 25-224, Reissue Revised Statutes of Nebraska; to provide for a statute of limitations for exposure to certain chemicals, prescription drugs, or medical devices; to define terms; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 695. Introduced by Blood, 3.

A BILL FOR AN ACT relating to political subdivisions; to amend section 23-114.01, Reissue Revised Statutes of Nebraska, section 19-929, Revised Statutes Cumulative Supplement, 2020, and section 18-2119, Revised Statutes Supplement, 2021; to prohibit granting conditional use permits or zoning exceptions to persons delinquent in the payment of real property taxes; to provide a duty and a contracting requirement under the Community Development Law; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

LEGISLATIVE BILL 696. Introduced by Blood, 3.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the State Department of Education; and to declare an emergency.

LEGISLATIVE BILL 697. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to health care facilities; to amend sections 71-401 and 71-403, Revised Statutes Cumulative Supplement, 2020; to
define terms; to provide for licensure of rural emergency hospitals; to require coverage for rural emergency hospital services; to harmonize provisions; and to repeal the original sections.


A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-911, Reissue Revised Statutes of Nebraska; to provide requirements regarding coverage; and to repeal the original section.


A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 700. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to retirement; to amend sections 23-2317.01, 84-1319.01, and 84-1511, Reissue Revised Statutes of Nebraska, sections 23-2309.01, 23-2310.05, 72-1243, 79-921, 84-1310.01, 84-1311.03, and 84-1322, Revised Statutes Cumulative Supplement, 2020, and sections 79-9,117 and 84-1503, Revised Statutes Supplement, 2021; to eliminate obsolete provisions relating to investment options under certain acts, the state investment officer, and the Public Employees Retirement Board; to change provisions relating to certain funds; to eliminate provisions relating to termination of employment and early retirement inducement notification; to change provisions relating to preretirement planning and repayment of a distribution after reemployment; to change duties of and provide duties for the Public Employees Retirement Board; to provide a deadline for a certain compliance audit; to define terms; to provide for retirement training sessions; to eliminate a retirement education and financial planning program; to harmonize provisions; to repeal the original sections; to outright repeal section 84-1511.01, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 701. Introduced by Williams, 36.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2912 and 77-5806, Reissue Revised Statutes of Nebraska; to change certain deadlines under the Nebraska Job Creation and Mainstreet Revitalization Act and the Nebraska Advantage Research and Development Act; and to repeal the original sections.

LEGISLATIVE BILL 702. Introduced by Williams, 36.

A BILL FOR AN ACT relating to the School Readiness Tax Credit Act; to amend section 77-3605, Reissue Revised Statutes of Nebraska, and section 77-3604, Revised Statutes Cumulative Supplement, 2020; to change
provisions relating to the availability of tax credits; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 703. Introduced by Williams, 36.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the University of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 704. Introduced by Williams, 36.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 38-1414 and 38-1416, Reissue Revised Statutes of Nebraska; to change education requirements for funeral directing and embalming licensure; to eliminate reporting requirements relating to caskets; to harmonize provisions; to repeal the original sections; and to outright repeal section 71-609, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 705. Introduced by Williams, 36.

A BILL FOR AN ACT relating to the Barber Act; to amend sections 71-201, 71-208.02, and 71-219, Reissue Revised Statutes of Nebraska; to eliminate provisions relating to booth rental permits; to change requirements for registration as a barber instructor or assistant barber instructor; to harmonize provisions; to repeal the original sections; and to outright repeal section 71-219.05, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 706. Introduced by Williams, 36.

A BILL FOR AN ACT relating to the Real Property Appraiser Act; to amend sections 76-2201, 76-2203, 76-2207.23, and 76-2218, Reissue Revised Statutes of Nebraska, sections 76-2233.01 and 76-2236, Revised Statutes Cumulative Supplement, 2020, and sections 76-2207.30, 76-2221, 76-2230, 76-2231.01, and 76-2232, Revised Statutes Supplement, 2021; to define and redefine terms; to change provisions relating to continuing education, experience, and educational requirements for real property appraisers; to change provisions relating to exemptions to the Real Property Appraiser Act; to change provisions relating to temporary credentials for nonresident real property appraisers; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 707. Introduced by Williams, 36.

A BILL FOR AN ACT relating to banking and finance; to amend sections 8-148.06, 8-1502, 45-736, and 59-1722, Reissue Revised Statutes of Nebraska, sections 8-108, 8-148.07, and 8-148.08, Revised Statutes Cumulative Supplement, 2020, sections 8-101.03, 8-135, 8-141, 8-143.01, 8-157.01, 8-183.04, 8-1,140, 8-318, 8-355, 8-1101, 8-1101.01, 8-1704, 8-1707, 8-2724, 8-2903, 8-3005, 8-3007, 21-17,115, 69-2103, 69-2104, and 69-2112, Revised Statutes Supplement, 2021, and section 4A-108, Uniform
Commercial Code, Revised Statutes Supplement, 2021; to redefine a term; to change provisions relating to banks, financial institutions, bank subsidiaries, and residential mortgage loans; to adopt updates to federal law relating to banks, financial institutions, securities, money transmitters, commodities, financial exploitation of vulnerable adults, digital asset depository institutions, credit unions, transactions involving franchises, consumer rental purchase agreements, and funds transfers; and to repeal the original sections.

LEGISLATIVE BILL 708. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to law; to amend section 49-707, Reissue Revised Statutes of Nebraska; to eliminate a copyright requirement; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 709. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to the Occupational Board Reform Act; to amend section 84-947, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to preliminary applications by individuals with a criminal conviction; and to repeal the original section.

LEGISLATIVE BILL 710. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1017.02, Revised Statutes Supplement, 2021; to change provisions relating to federal Supplemental Nutrition Assistance Program eligibility; and to repeal the original section.

LEGISLATIVE BILL 711. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to the Board of Educational Lands and Funds; to amend sections 72-257, 72-257.01, 72-258, 72-258.01, 72-258.02, and 72-258.03, Reissue Revised Statutes of Nebraska; to change provisions relating to the sale of educational land; to provide duties; to redefine a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 712. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to prairie dogs; to amend sections 23-3803, 23-3804, 23-3805, 23-3806, and 23-3808, Reissue Revised Statutes of Nebraska; to change provisions of the Black-Tailed Prairie Dog Management Act relating to management plans, duties, powers, notices, liens, penalties, appeals, trespass, damages, and liability as prescribed; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 713. Introduced by Flood, 19.
A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2147, Revised Statutes Supplement, 2021; to prohibit the use of tax-increment financing for certain purposes; and to repeal the original section.

LEGISLATIVE BILL 714. Introduced by Geist, 25.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-4,115, Reissue Revised Statutes of Nebraska; to change the distribution of certain fees; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 715. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to insurance; to eliminate the prohibition regarding certain group insurance contracts and health maintenance agreements providing coverage for abortion; to eliminate the Mandate Opt-Out and Insurance Coverage Clarification Act; and to outright repeal sections 44-1615.01, 44-8401, 44-8402, 44-8403, and 44-8404, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 716. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to abortion; to amend sections 28-325, 28-327.02, 28-327.03, 28-327.04, 28-327.07, 28-327.09, 28-327.10, 28-327.11, 28-327.12, 28-328, 28-329, 28-330, 28-331, 28-335, 28-343, 28-3,103, 28-3,105, 28-3,106, 28-3,107, 38-193, 38-201, 38-601, 44-1615.01, 44-8403, 71-6901, 71-6902.01, 71-6903, 71-6906, 71-6907, and 71-6909, Reissue Revised Statutes of Nebraska, and sections 28-326, 28-327, 28-327.01, 28-345, 28-347, and 38-2021, Revised Statutes Cumulative Supplement, 2020; to allow advanced practice registered nurses, certified nurse midwives, and physician assistants to perform abortions as prescribed; to define and redefine terms; to change applicability of provisions relating to unprofessional conduct; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 717. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the In the Line of Duty Compensation Act; to amend section 81-8,317, Revised Statutes Supplement, 2021; to change the amount of compensation under the act; and to repeal the original section.

LEGISLATIVE BILL 718. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to health care benefits; to define terms; to provide requirements for cost-sharing and coverage; to provide for applicability; to provide for rules and regulations; and to provide a duty for the Revisor of Statutes.
LEGISLATIVE BILL 719. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend sections 48-120, 48-121, 48-121.01, 48-122, 48-122.01, 48-122.03, 48-126, 48-134, and 48-134.01, Reissue Revised Statutes of Nebraska; to require payment for interpreter services; to change provisions relating to the right to select a physician, compensation schedules, maximum and minimum weekly income benefits, and calculation of wages; to require annual cost-of-living adjustments to benefits as prescribed; to define terms; to require payment of benefits to a personal representative; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 720. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-107, 60-119.01, 60-169, 60-302.01, 60-336.01, 60-386, 60-3113.04, 60-3,193.01, 60-462.01, 60-479.01, 60-4,111.01, 60-4,132, 60-4,134, 60-4,138, 60-4,147.02, 60-4,168, 60-501, 60-628.01, 60-6,265, 60-2705, and 60-2909.01, Reissue Revised Statutes of Nebraska, section 75-369.03, Revised Statutes Cumulative Supplement, 2020, and sections 75-363, 75-364, 75-366, 75-392, and 75-393, Revised Statutes Supplement, 2021; to adopt updates to federal law and update certain federal references; to change certain civil penalties; and to repeal the original sections.

LEGISLATIVE BILL 721. Introduced by Hilkemann, 4; Lowe, 37; Stinner, 48; Williams, 36.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the University of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 722. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Economic Development; and to provide for a transfer of funds.

LEGISLATIVE BILL 723. Introduced by Briese, 41.

A BILL FOR AN ACT relating to the Nebraska Property Tax Incentive Act; to amend section 77-6703, Revised Statutes Supplement, 2021; to change provisions relating to the calculation of tax credits; to harmonize provisions; and to repeal the original section.


A BILL FOR AN ACT relating to the Local Option Municipal Economic Development Act; to amend section 18-2705, Revised Statutes Supplement, 2021; to provide certain funding for the development and implementation of
an affordable housing action plan as part of an economic development program; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 725.** Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2105, Reissue Revised Statutes of Nebraska; to authorize guidelines for the consideration and approval of certain redevelopment projects; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 726.** Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend sections 31-727.01, 31-736, 31-767, 31-768, 31-769, and 31-771, Reissue Revised Statutes of Nebraska, and sections 31-727, 31-727.02, 31-728, 31-740, 31-744, and 31-749, Revised Statutes Supplement, 2021; to change provisions relating to powers and duties, extraterritorial zoning jurisdiction, and publication of notice; to require compliance with municipal planning requirements; to harmonize provisions; to eliminate obsolete provisions; and to repeal the original sections.

**LEGISLATIVE BILL 727.** Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend section 31-735, Reissue Revised Statutes of Nebraska; to change the procedure for election of the board of trustees of a district as prescribed; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 728.** Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to insurance; to amend section 44-4052, Reissue Revised Statutes of Nebraska; to adopt the Travel Insurance Act; to eliminate travel insurance provisions; to harmonize provisions; to provide an operative date; to repeal the original section; and to outright repeal section 44-4068, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 729.** Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to economic development; to adopt the Quick Action Closing Fund Act.

**LEGISLATIVE BILL 730.** Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2717 and 77-2734.03, Revised Statutes Cumulative Supplement, 2020, and section 77-2715.07, Revised Statutes Supplement, 2021; to adopt the Growing Our Workforce Investment Now Act; to provide tax credits; to harmonize provisions; and to repeal the original sections.
LEGISLATIVE BILL 731. Introduced by Cavanaugh, J., 9; Hunt, 8.

A BILL FOR AN ACT relating to the Small Wireless Facilities Deployment Act; to amend section 86-1236, Revised Statutes Cumulative Supplement, 2020; to provide requirements for a wireless provider as prescribed; and to repeal the original section.

LEGISLATIVE BILL 732. Introduced by Cavanaugh, J., 9; McKinney, 11.

A BILL FOR AN ACT relating to juveniles; to prohibit use of deception in questioning juveniles; to prohibit admission of certain evidence; and to define terms.

LEGISLATIVE BILL 733. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1401, Reissue Revised Statutes of Nebraska; to regulate ballot question contributions and expenditures by foreign nationals and their subsidiaries as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 734. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1401, Reissue Revised Statutes of Nebraska; to provide a limit on contributions made to a candidate committee as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 735. Introduced by Bostar, 29; Halloran, 33; Hansen, B., 16.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1736.06, Revised Statutes Supplement, 2021; to change an interest rate relating to property tax refunds; and to repeal the original section.

LEGISLATIVE BILL 736. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to renewable fuels; to amend section 66-2201, Revised Statutes Cumulative Supplement, 2020; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 737. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to public health; to adopt the Primary Care Investment Act.

LEGISLATIVE BILL 738. Introduced by Bostar, 29.
A BILL FOR AN ACT relating to LIBOR; to adopt the LIBOR Transition Act; to provide severability; and to declare an emergency.

LEGISLATIVE BILL 739. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to insurance; to amend section 44-7,102, Reissue Revised Statutes of Nebraska; to change the requirement for screening coverage for colorectal cancer; and to repeal the original section.

LEGISLATIVE BILL 740. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to income taxes; to amend section 77-2716, Revised Statutes Supplement, 2021; to provide a deduction for rent paid on dwellings as prescribed; and to repeal the original section.

LEGISLATIVE BILL 741. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to the Child and Maternal Death Review Act; to amend sections 71-3404, 71-3407, 71-3409, and 71-3410, Reissue Revised Statutes of Nebraska, and section 71-3405, Revised Statutes Cumulative Supplement, 2020; to define and redefine terms; to provide for the review of stillbirths; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 742. Introduced by Erdman, 47; Brewer, 43.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend sections 84-1411 and 84-1413, Revised Statutes Supplement, 2021; to change provisions relating to minutes kept as an electronic record; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 743. Introduced by Erdman, 47; Brewer, 43.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend section 84-1410, Reissue Revised Statutes of Nebraska; to change provisions relating to when closed sessions may be held; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 744. Introduced by Erdman, 47; Brewer, 43.

A BILL FOR AN ACT relating to the livestock; to amend sections 54-170, 54-171, 54-172, 54-173, 54-176, 54-179, 54-182, 54-189, 54-199, 54-1,108, 54-1,111, 54-1,122, and 54-415, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change provisions under the Livestock Brand Act relating to approved nonvisual identifiers, physical inspections, electronic inspections, powers and duties of the Nebraska Brand Committee, and fees; to eliminate terms, obsolete provisions, and a penalty; to harmonize provisions; to repeal the original sections; to outright repeal sections 54-171.01, 54-179.03, 54-179.04, 54-187.01, and 54-1,124.01,
Reissue Revised Statutes of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 745.** Introduced by Cavanaugh, M., 6; Cavanaugh, J., 9; Hansen, M., 26; Hunt, 8; Pansing Brooks, 28.

A BILL FOR AN ACT relating to marriage; to amend sections 42-102, 42-103, 42-104, 42-106, 42-109, and 42-110, Reissue Revised Statutes of Nebraska; to change terminology; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 746.** Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Department of Natural Resources; to amend section 61-201, Reissue Revised Statutes of Nebraska; to remove the requirement that the Director of Natural Resources be a professional engineer; and to repeal the original section.

**LEGISLATIVE BILL 747.** Introduced by Friesen, 34.

A BILL FOR AN ACT relating to aeronautics; to amend sections 3-103 and 11-201, Revised Statutes Cumulative Supplement, 2020; to remove a requirement that the appointment of the Director of Aeronautics be subject to confirmation by the Legislature; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 748.** Introduced by Friesen, 34.

A BILL FOR AN ACT relating to forfeiture of property; to amend section 28-431, Reissue Revised Statutes of Nebraska; to change provisions relating to issuance of title; and to repeal the original section.

**LEGISLATIVE BILL 749.** Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Motor Vehicle Certificate of Title Act; to amend section 60-146, Reissue Revised Statutes of Nebraska; to change an identification inspection provision; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 750.** Introduced by Friesen, 34.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-144, 60-149, 60-151, 60-392, 60-3,102, 60-3,119, 60-3,122, 60-3,122.02, 60-3,122.03, 60-3,123, 60-3,124, 60-3,125, 60-3,126, 60-3,128, 60-3,130.02, 60-3,135.01, 60-3,198, 60-3,203, 60-3,221, 60-3,226, 60-3,232, 60-3,233, 60-3,237, 60-3,241, 60-3,243, 60-3,245, 60-3,247, 60-3,249, 60-3,251, 60-3,253, 60-462, 60-465, 60-481, 60-490, 60-4,122, 60-4,124, 60-4,130.03, 60-4,130.04, 60-4,139.01, 60-4,149.01, 60-4,174, 60-4,183, 60-4,188, 66-1401, and 66-1421, Reissue Revised Statutes of
Nebraska, and section 30-2715.01, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to transfer-on-death certificates of title as prescribed, the Motor Vehicle Certificate of Title Act, the Motor Vehicle Registration Act, the Motor Vehicle Operator's License Act, and the International Fuel Tax Agreement Act; to provide for a postage and handling fee as prescribed; to define a term; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 751.** Introduced by Arch, 14.

A BILL FOR AN ACT relating to the Transportation Innovation Act; to amend section 39-2806, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the Economic Opportunity Program; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 752.** Introduced by Arch, 14.

A BILL FOR AN ACT relating to the Respiratory Care Practice Act; to amend section 38-3205, Reissue Revised Statutes of Nebraska; to redefine a term; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 753.** Introduced by Arch, 14; Lathrop, 12.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend sections 38-178 and 38-2894, Revised Statutes Cumulative Supplement, 2020, and section 38-101, Revised Statutes Supplement, 2021; to define terms; to require notification regarding stem cell therapy as prescribed; to provide for disciplinary action; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 754.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to schools; to amend section 79-10,110.03, Revised Statutes Supplement, 2021; to extend the commercial air filter pilot program; and to repeal the original section.

**LEGISLATIVE BILL 755.** Introduced by Brandt, 32.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Agriculture for the Independent Processor Assistance Program; and to declare an emergency.

**LEGISLATIVE BILL 756.** Introduced by Brandt, 32.

A BILL FOR AN ACT relating to public health; to amend sections 71-2432, 71-2434, and 71-2435, Reissue Revised Statutes of Nebraska, and section 71-2433, Revised Statutes Cumulative Supplement, 2020; to change and eliminate definitions; to change powers and duties relating to reporting and rehabilitation of properties contaminated by methamphetamine,
enforcement, and terminations of leases; to remove obsolete language; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 757. Introduced by Brandt, 32.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-6,298 and 60-6,301, Reissue Revised Statutes of Nebraska; to change provisions relating to the allowable distance traveled by vehicles exceeding the maximum weight, length, or load when carrying grain or other seasonally harvested products; and to repeal the original sections.

LEGISLATIVE BILL 758. Introduced by Brandt, 32.

A BILL FOR AN ACT relating to the Nebraska Farm-to-School Program Act; to amend sections 79-2902 and 79-2904, Revised Statutes Supplement, 2021; to define terms; to change provisions relating to the Nebraska farm-to-school program; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 759. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to the Business Innovation Act; to amend section 81-12,162, Revised Statutes Cumulative Supplement, 2020; to change a limitation relating to microloans; and to repeal the original section.

LEGISLATIVE BILL 760. Introduced by Dorn, 30.

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

LEGISLATIVE BILL 761. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to agriculture; to adopt the Precision Agriculture Infrastructure Grant Act.

LEGISLATIVE BILL 762. Introduced by Dorn, 30.

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

LEGISLATIVE BILL 763. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to recreational liability; to amend section 37-729, Reissue Revised Statutes of Nebraska; to redefine terms; and to repeal the original section.

LEGISLATIVE BILL 764. Introduced by Aguilar, 35.
A BILL FOR AN ACT relating to the Nebraska County and City Lottery Act; to amend section 9-606, Reissue Revised Statutes of Nebraska; to redefine a term; and to repeal the original section.

**LEGISLATIVE BILL 765.** Introduced by Aguilar, 35.

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

**LEGISLATIVE BILL 766.** Introduced by Kolterman, 24; Blood, 3; Bostar, 29; Brandt, 32; Brewer, 43; Cavanaugh, J., 9; DeBoer, 10; Dorn, 30; Gragert, 40; Hilkemann, 4; Lathrop, 12; Lindstrom, 18; McCollister, 20; McDonnell, 5; Morfeld, 46; Pahls, 31; Pansing Brooks, 28; Stinner, 48; Walz, 15; Williams, 36; Wishart, 27.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the University of Nebraska for pancreatic cancer research; and to declare an emergency.

**LEGISLATIVE BILL 767.** Introduced by Kolterman, 24; Aguilar, 35; Bostar, 29; Flood, 19; Lindstrom, 18; McCollister, 20; Morfeld, 46; Pahls, 31; Stinner, 48; Wishart, 27.

A BILL FOR AN ACT relating to pharmacy benefit managers; to adopt the Pharmacy Benefit Manager Licensure and Regulation Act; to eliminate provisions relating to pharmacy benefit managers; to provide an operative date; to provide severability; and to outright repeal section 71-2484, Revised Statutes Cumulative Supplement, 2020.

**LEGISLATIVE BILL 768.** Introduced by Albrecht, 17; Bostelman, 23; Briese, 41; Lowe, 37; McDonnell, 5; Murman, 38; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to schools; to amend sections 79-712 and 79-713, Reissue Revised Statutes of Nebraska, and section 79-760.01, Revised Statutes Supplement, 2021; to change provisions relating to comprehensive health education; to prohibit academic content standards in new areas; and to repeal the original sections.

**LEGISLATIVE BILL 769.** Introduced by Halloran, 33; Arch, 14; Erdman, 47; Hansen, B., 16; Kolterman, 24; McDonnell, 5; Murman, 38; Williams, 36.

A BILL FOR AN ACT relating to state employees; to require certain state employees to submit to fingerprinting and criminal history record checks.
LEGISLATIVE BILL 770. Introduced by Day, 49.

A BILL FOR AN ACT relating to the Dentistry Practice Act; to amend section 38-1114, Reissue Revised Statutes of Nebraska; to change provisions relating to board membership; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 771. Introduced by Day, 49; Hilkemann, 4.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-601, 60-605, 60-611, 60-640, and 60-678, Reissue Revised Statutes of Nebraska; to define and redefine terms; to provide for the regulation of electric bicycles as prescribed; to provide a penalty; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 772. Introduced by Day, 49; Blood, 3; Cavanaugh, M., 6.

A BILL FOR AN ACT relating to public health and welfare; to prohibit providers of services relating to examination or treatment of injuries arising from sexual assault, domestic assault, and child abuse from taking actions relating to victims' debts for such services.

LEGISLATIVE BILL 773. Introduced by Brewer, 43; Albrecht, 17; Bostelman, 23; Briese, 41; Clements, 2; Erdman, 47; Flood, 19; Gragert, 40; Groene, 42; Halloran, 33; Hansen, B., 16; Lindstrom, 18; McDonnell, 5; Murman, 38; Slama, 1.

A BILL FOR AN ACT relating to firearms; to amend sections 18-1703, 69-2429, 69-2435, 69-2439, 69-2440, 69-2441, 69-2442, 69-2443, and 69-2445; Reissue Revised Statutes of Nebraska, sections 14-102, 15-255, 16-227, 17-556, 28-101, 28-1201, and 28-1351, Revised Statutes Cumulative Supplement, 2020, and sections 28-1202 and 69-2436, Revised Statutes Supplement, 2021; to prohibit regulation of the carrying of concealed handguns by cities, villages, and counties; to provide for the carrying of a concealed handgun without a permit; to provide for requirements, limits, and offenses relating to carrying a concealed handgun; to change provisions of the Concealed Handgun Permit Act; to provide penalties; to change, provide, and eliminate definitions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 774. Introduced by Brewer, 43; Bostelman, 23; Erdman, 47; Gragert, 40; Hansen, B., 16; Lowe, 37; McDonnell, 5.

A BILL FOR AN ACT relating to government; to adopt the First Freedom Act.

LEGISLATIVE BILL 775. Introduced by Brewer, 43; Gragert, 40.
A BILL FOR AN ACT relating to the Integrated Solid Waste Management Act; to amend section 13-2039, Reissue Revised Statutes of Nebraska; to prohibit land disposal of wind turbine blades and their component parts; and to repeal the original section.

LEGISLATIVE BILL 776. Introduced by Brewer, 43; Gragert, 40.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 2021; to provide an income tax deduction for certain military pay as prescribed; and to repeal the original section.

LEGISLATIVE BILL 777. Introduced by Brewer, 43; Erdman, 47; Geist, 25.

A BILL FOR AN ACT relating to the Nebraska Educational Telecommunications Act; to amend sections 79-1312, 79-1313, and 79-1316, Reissue Revised Statutes of Nebraska; to require the Nebraska Educational Telecommunications Commission to develop and maintain a digital archive of Nebraska Legislature video coverage as prescribed; to change powers and duties of the commission; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 778. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to public lettings and contracts; to adopt the Government Neutrality in Contracting Act.

LEGISLATIVE BILL 779. Introduced by Gragert, 40; Bostelman, 23; Brewer, 43; Wishart, 27.

A BILL FOR AN ACT relating to the Nebraska National Guard; to amend section 85-505.01, Revised Statutes Cumulative Supplement, 2020, and section 85-505, Revised Statutes Supplement, 2021; to eliminate an entitlement period relating to tuition assistance; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 780. Introduced by Gragert, 40.

A BILL FOR AN ACT relating to employment; to amend sections 48-302, 48-303, and 48-675, Reissue Revised Statutes of Nebraska; to change provisions relating to child labor; to change provisions relating to Employment Security Law and short-time compensation plans; and to repeal the original sections.

LEGISLATIVE BILL 781. Introduced by Slama, 1; Aguilar, 35; Albrecht, 17; Bostelman, 23; Brewer, 43; Briese, 41; Clements, 2; Erdman, 47; Flood, 19; Friesen, 34; Geist, 25; Gragert, 40; Groene, 42; Halloran, 33;
Hansen, B., 16; Lindstrom, 18; Lowe, 37; McDonnell, 5; Moser, 22; Murman, 38; Sanders, 45.

A BILL FOR AN ACT relating to abortion; to amend sections 28-101 and 38-2021, Revised Statutes Cumulative Supplement, 2020; to adopt the Heartbeat Act; to provide a penalty; to redefine unprofessional conduct; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 782. Introduced by Vargas, 7; Cavanaugh, J., 9; Cavanaugh, M., 6.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2021, LB380, section 104; to change provisions regarding appropriations for the Department of Health and Human Services; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 783. Introduced by Groene, 42; Halloran, 33; Murman, 38; Williams, 36.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 784. Introduced by Groene, 42; Erdman, 47.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-202, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to a property tax exemption for hospitals; and to repeal the original section.

LEGISLATIVE BILL 785. Introduced by Groene, 42; Albrecht, 17; Arch, 14; Brewer, 43; Clements, 2; Erdman, 47; Geist, 25; Halloran, 33; Murman, 38; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to elections; to amend sections 32-808, 32-942, and 32-943, Reissue Revised Statutes of Nebraska; to change provisions relating to early voting; and to repeal the original sections.

LEGISLATIVE BILL 786. Introduced by Groene, 42; Albrecht, 17; Brewer, 43; Clements, 2; Erdman, 47; Geist, 25; Halloran, 33; Murman, 38; Williams, 36.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1496, Reissue Revised Statutes of Nebraska; to change information required for a statement of financial interests; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 787. Introduced by Groene, 42; Albrecht, 17;
Clements, 2; Erdman, 47; Halloran, 33.

A BILL FOR AN ACT relating to the Nebraska Budget Act; to amend section 13-502, Reissue Revised Statutes of Nebraska, and section 13-503, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the applicability of the act; to redefine a term; and to repeal the original sections.

**LEGISLATIVE BILL 788.** Introduced by Groene, 42; Brewer, 43; Halloran, 33; Murman, 38.

A BILL FOR AN ACT relating to the Nebraska Rural Projects Act; to amend sections 81-12,213 and 81-12,218, Revised Statutes Supplement, 2021; to change provisions relating to certain limits on matching funds; to change legislative intent regarding appropriations; to provide for transfers of funds; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 789.** Introduced by Groene, 42; Clements, 2; Halloran, 33.

A BILL FOR AN ACT relating to urban housing; to amend sections 19-5504 and 81-1237, Revised Statutes Cumulative Supplement, 2020, and sections 18-2119 and 19-5505, Revised Statutes Supplement, 2021; to provide an exception for an affordable housing report and change an affordable housing action plan requirement under the Municipal Density and Missing Middle Housing Act; to redefine a term under the Middle Income Workforce Housing Investment Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 790.** Introduced by Groene, 42; Williams, 36.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2155, Revised Statutes Cumulative Supplement, 2020, and sections 18-2101.02 and 18-2147, Revised Statutes Supplement, 2021; to change provisions relating to redevelopment plans receiving an expedited review; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 791.** Introduced by Lowe, 37; Aguilar, 35; Briese, 41; Friesen, 34.

A BILL FOR AN ACT relating to county government and officers; to amend sections 23-1901, 23-1901.02, 33-116, and 39-1506, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to county surveyors, engineers, and highway superintendents; to change a county population requirement; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 792.** Introduced by Lowe, 37; Albrecht, 17; Arch,
A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 262. Introduced by Blood, 3.

WHEREAS, the United States cattle industry is the largest segment of American agriculture, annually generating about sixty-seven billion dollars in cash receipts; and
WHEREAS, virtually all imported consumer goods, including pet treats, clothing, tools, and electronic equipment, are required to be labeled indicating their country of origin as a condition of entry into the United States; and
WHEREAS, Nebraska consumers appreciate such labeling because it allows them to exercise a choice in the marketplace of which countries of origin to support with their purchasing dollars; and
WHEREAS, beef cattle production is a leading industry in Nebraska and plays a large role in the agriculture economy; and
WHEREAS, the state leads the nation in cattle on feed and ranks fourth in the total number of cows; and
WHEREAS, mandatory country of origin labeling for beef provides cattle producers in Nebraska and across the United States with a greater ability to compete in the retail grocery market by allowing consumers to choose between purchasing a superior beef product born, raised, and slaughtered in America or a foreign beef product imported from among twenty countries; and
WHEREAS, without mandatory country of origin labeling, multinational beef packers and other importers can harm the American beef industry by offering foreign-sourced beef products without providing consumers knowledge about what they are purchasing; and
WHEREAS, the competitive price established for fed cattle on the fed cattle spot market makes it the most important market for the live cattle industry; and
WHEREAS, over the past several years the volume of spot-market sales of fed cattle shrank to historic lows; and
WHEREAS, the cattle industry recognizes that the shrinking spot market volume reduces competition in the United States cattle industry and that voluntary and industry-led efforts do not produce meaningful improvements regarding this issue; and
WHEREAS, the spot-market price for fed cattle influences prices for nearly all cattle sold throughout the live cattle supply chain, regardless of age or weight; and
WHEREAS, demand for Nebraska beef increases when American consumers choose to purchase beef entirely produced in Nebraska; and
WHEREAS, Nebraska cattlemen play an incredibly important role in growing Nebraska's economy; and
WHEREAS, the federal American Beef Labeling Act of 2021 introduced by Senator John Thune requires retailers to indicate country of origin labeling for beef products; and
WHEREAS, United States Senate Bill 949 introduced by Senator Chuck Grassley requires beef packers to purchase at least fifty percent of their cattle needs through the spot market and to slaughter those cattle within fourteen days.

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

1. That the Legislature supports both the federal American Beef Labeling Act of 2021 and United States Senate Bill 949 and encourages all members of Congress to cosponsor and quickly pass these bills.

2. That the Clerk of the Legislature prepare and transmit a copy of this resolution to the majority and minority leaders of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Nebraska congressional delegation.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR262 was referred to the Reference Committee.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 263CA.Introduced by Blood, 3.

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

Section 1. At the general election in November 2022, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 22:

III-22 (1) Each Legislature shall make appropriations for the expenses of the Government. And whenever it is deemed necessary to make further appropriations for deficiencies, the same shall require a two-thirds vote of all the members elected to the Legislature.

(2) Bills making appropriations for the pay of members and officers of the Legislature, and for the salaries of the officers of the Government, shall contain no provision on any other subject.

(3) The Legislature shall not impose responsibility for a program created after the year 2022 or an increased level of service required under an existing program after the year 2022 on any political subdivision of the state unless the subdivision is fully reimbursed by the state for the cost of such
program or increase in level of service. Reimbursement by the state shall be in the form of a specific appropriation or an increase in state distribution of revenue to such political subdivision.

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

A constitutional amendment to require the state to reimburse political subdivisions for responsibilities imposed or increased levels of service required after the year 2022.

For
Against.

LEGISLATIVE RESOLUTION 264CA. Introduced by Erdman, 47; Albrecht, 17; Brewer, 43; Clements, 2; Halloran, 33; Hansen, B., 16; McDonnell, 5; Murman, 38.

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

Section 1. At the general election in November 2022, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VIII, section 1:

VIII-1 (1) This subsection applies on and after January 1, 2024. Notwithstanding any other provision of this Constitution to the contrary, no taxes other than retail consumption taxes and excise taxes shall be imposed upon the people of Nebraska.

(2) This subsection applies prior to January 1, 2024. The necessary revenue of the state and its governmental subdivisions shall be raised by taxation in such manner as the Legislature may direct. Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 4, of this Constitution or any other provision of this Constitution to the contrary:

(a) Taxes shall be levied by valuation uniformly and proportionately upon all real property and franchises as defined by the Legislature except as otherwise provided in or permitted by this Constitution;

(b) Tangible personal property, as defined by the Legislature, not exempted by this Constitution or by legislation, shall all be taxed at depreciated cost using the same depreciation method with reasonable class lives, as determined by the Legislature, or shall all be taxed by valuation uniformly and proportionately;

(c) The Legislature may provide for a different method of taxing motor vehicles and may also establish a separate class of motor vehicles consisting of those owned and held for resale by motor vehicle dealers which shall be taxed in the manner and to the extent provided by the Legislature and may also establish a separate class for trucks, trailers, semitrailers, truck-tractors, or combinations thereof, consisting of those owned by residents and nonresidents of this state, and operating in interstate commerce, and may provide reciprocal and proportionate taxation of such vehicles. The tax proceeds from motor vehicles taxed in each county shall be allocated to the county and the cities, villages, and school districts of such county;
Legislature may provide that agricultural land and horticultural land, as defined by the Legislature, shall constitute a separate and distinct class of property for purposes of taxation and may provide for a different method of taxing agricultural land and horticultural land which results in values that are not uniform and proportionate with all other real property and franchises but which results in values that are uniform and proportionate upon all property within the class of agricultural land and horticultural land; (e)(5) the Legislature may enact laws to provide that the value of land actively devoted to agricultural or horticultural use shall for property tax purposes be that value which such land has for agricultural or horticultural use without regard to any value which such land might have for other purposes or uses; (f)(6) the Legislature may prescribe standards and methods for the determination of the value of real property at uniform and proportionate values; (g)(7) in furtherance of the purposes for which such a law of the United States has been adopted, whenever there exists a law of the United States which is intended to protect a specifically designated type, use, user, or owner of property or franchise from discriminatory state or local taxation, such property or franchise shall constitute a separate class of property or franchise under the laws of the State of Nebraska, and such property or franchise may not be taken into consideration in determining whether taxes are levied by valuation uniformly or proportionately upon any property or franchise, and the Legislature may enact laws which statutorily recognize such class and which tax or exempt from taxation such class of property or franchise in such manner as it determines; and (h)(8) the Legislature may provide that livestock shall constitute a separate and distinct class of property for purposes of taxation and may further provide for reciprocal and proportionate taxation of livestock located in this state for only part of a year. Each actual property tax rate levied for a governmental subdivision shall be the same for all classes of taxed property and franchises. Taxes uniform as to class of property or the ownership or use thereof may be levied by valuation or otherwise upon classes of intangible property as the Legislature may determine, and such intangible property held in trust or otherwise for the purpose of funding pension, profit-sharing, or other employee benefit plans as defined by the Legislature may be declared exempt from taxation. Taxes other than property taxes may be authorized by law. Existing revenue laws shall continue in effect until changed by the Legislature.

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

A constitutional amendment to provide that, beginning January 1, 2024, no taxes other than retail consumption taxes and excise taxes shall be imposed upon the people of Nebraska.

For

Against.
LEGISLATIVE RESOLUTION 265. Introduced by Geist, 25.

WHEREAS, Lux Middle School was recognized as a 2021 National Blue Ribbon School by the United States Department of Education; and
WHEREAS, the National Blue Ribbon Schools Program honors schools for their overall academic performance or for closing achievement gaps between student subgroups; and
WHEREAS, Lux Middle School was recognized for its work spotlighting specific instructional practices as part of its teachers' professional learning; and
WHEREAS, recipients are determined by their performance on state assessments or other tests or how well they closed achievement disparities between students over the past five years.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature congratulates the students, faculty, and staff of Lux Middle School on their admirable achievements and applauds their dedication to a high standard of education.
2. That a copy of this resolution be sent to Lux Middle School.

Laid over.

LEGISLATIVE RESOLUTION 266. Introduced by Day, 49; Lindstrom, 18.

PURPOSE: The purpose of this resolution is to propose an interim study to examine Nebraska's processes relating to investigation of reports of child abuse or neglect in licensed child care facilities.

Allegations of child abuse by a staff member and owner of Rosewood Academy in Omaha, Nebraska, occurring in December 2020 and January 2021 were unknown to parents who entrusted Rosewood Academy to care for their children. The Department of Health and Human Services is responsible for licensing child care facilities to ensure the safety of children. Additionally, the Department of Health and Human Services or law enforcement is responsible for investigating reports of child abuse in licensed child care facilities and immediately notifying each person having custody of a child who has allegedly been abused or neglected of the report.

The interim study shall include, but not be limited to, an examination of:
(1) The current statutory requirements for parental notice of abuse or neglect in licensed child care facilities;
(2) The responsibilities of the Division of Children and Family Services and the Division of Public Health of the Department of Health and Human Services and law enforcement agencies when an allegation of child abuse or neglect involves a licensed child care facility;
(3) How Nebraska's statutes relating to out-of-home child abuse or neglect compare to other states;
(4) The rights of parents whose children are alleged victims of abuse or neglect in licensed child care facilities to receive notice of such allegations;
(5) The remedies available to parents whose children are alleged victims of abuse or neglect in licensed child care facilities.

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

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 267. Introduced by Gragert, 40.

WHEREAS, the Crofton High School girls' cross country team won the 2021 Class D Girls' State Cross Country Championship; and
WHEREAS, the 2021 Crofton High School girls' cross country team consisted of Jordyn Arens, Rylie Arens, Kiera Altwine, Elizabeth Wortmann, and Ashley Tramp; and
WHEREAS, under the direction of Coach Mickey Doerr, Crofton High School outscored runner-up Nebraska Christian by a score of 46 to 48; and
WHEREAS, this is the twentieth such championship title for Crofton High School; and
WHEREAS, Jordyn Arens, a sophomore on the cross country team, placed first overall at the championship meet with a time of 19 minutes and 11.43 seconds; and
WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community; and
WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Crofton High School girls' cross country team on winning the 2021 Class D Girls' State Cross Country Championship.
2. That a copy of this resolution be sent to the Crofton High School girls' cross country team and Coach Mickey Doerr.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Albrecht filed the following amendment to LB310: AM1511

1. Strike the original sections and all amendments thereto and
2. insert the following new sections:
3. Section 1. Section 77-2004, Reissue Revised Statutes of Nebraska, is
amended to read:

77-2004  (1) In the case of a father, mother, grandfather,
6 grandmother, brother, sister, son, daughter, child or children legally
7 adopted as such in conformity with the laws of the state where adopted,
8 any lineal descendant, any lineal descendant legally adopted as such in
9 conformity with the laws of the state where adopted, any person to whom
10 the deceased for not less than ten years prior to death stood in the
11 acknowledged relation of a parent, or the spouse or surviving spouse of
12 any such persons, the rate of tax shall be:
13 (a) For decedents dying prior to January 1, 2023, one percent of the
14 clear market value of the property in excess of forty thousand dollars
15 received by each person in excess of forty thousand dollars; -
16 (b) For decedents dying on or after January 1, 2023, and before
17 January 1, 2025, one percent of the clear market value of the property
18 received by each person in excess of one hundred thousand dollars.
19 (c) For decedents dying on or after January 1, 2025, and before
20 January 1, 2026, seventy-five hundredths of one percent of the clear
21 market value of the property received by each person in excess of one
22 hundred thousand dollars;
23 (d) For decedents dying on or after January 1, 2026, and before
24 January 1, 2027, five-tenths of one percent of the clear market value of
25 the property received by each person in excess of one hundred thousand
26 dollars;
1 (e) For decedents dying on or after January 1, 2027, and before
2 January 1, 2028, twenty-five hundredths of one percent of the clear
3 market value of the property received by each person in excess of one
4 hundred thousand dollars; and
5 (f) For decedents dying on or after January 1, 2028, zero percent.
6 (2) Any interest in property, including any interest acquired in the
7 manner set forth in section 77-2002, which may be valued at a sum less
8 than or equal to the applicable exempt amount under subsection (1) of
9 this section forty thousand dollars shall not be subject to tax. In
10 addition, the homestead allowance, exempt property, and family
11 maintenance allowance shall not be subject to tax. Interests passing to
12 the surviving spouse by will, in the manner set forth in section 77-2002,
13 or in any other manner shall not be subject to tax. Any interest passing
14 to a person described in subsection (1) of this section who is under
15 twenty-two years of age shall not be subject to tax. In
16 Sec. 2. Section 77-2005, Reissue Revised Statutes of Nebraska, is
17 amended to read:
18 77-2005  (1) In the case of an uncle, aunt, niece, or nephew related
19 to the deceased by blood or legal adoption, or other lineal descendant of
20 the same, or the spouse or surviving spouse of any of such persons, the
21 rate of tax shall be:
22 (a) For decedents dying prior to January 1, 2023, thirteen percent
23 of the clear market value of the property received by each person in
24 excess of fifteen thousand dollars; -
25 (b) For decedents dying on or after January 1, 2023, and before
26 January 1, 2024, eleven percent of the clear market value of the property
27 received by each person in excess of forty thousand dollars;
28 (c) For decedents dying on or after January 1, 2024, and before
29 January 1, 2025, nine percent of the clear market value of the property
30 received by each person in excess of forty thousand dollars;
31 (d) For decedents dying on or after January 1, 2025, and before
32 January 1, 2026, seven percent of the clear market value of the property
33 received by each person in excess of forty thousand dollars;
34 (e) For decedents dying on or after January 1, 2026, and before
35 January 1, 2027, five percent of the clear market value of the property
36 received by each person in excess of forty thousand dollars;
37 (f) For decedents dying on or after January 1, 2027, and before
38
January 1, 2028, three percent of the clear market value of the property received by each person in excess of forty thousand dollars; and

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

(2) If the clear market value of the beneficial interest is less than or equal to the applicable exempt amount under subsection (1) of this section fifteen thousand dollars or less, it shall not be subject to tax. In addition, any interest passing to a person described in subsection (1) of this section who is under twenty-two years of age shall not be subject to tax.

Sec. 3. Section 77-2006, Reissue Revised Statutes of Nebraska, is amended to read:

77-2006 (1) In all other cases the rate of tax shall be:

(a) For decedents dying prior to January 1, 2023, eighteen percent of the clear market value of the beneficial interests received by each person in excess of ten thousand dollars;

(b) For decedents dying on or after January 1, 2023, and before January 1, 2024, fifteen percent of the clear market value of the beneficial interests received by each person in excess of twenty-five thousand dollars;

(c) For decedents dying on or after January 1, 2024, and before January 1, 2025, twelve percent of the clear market value of the beneficial interests received by each person in excess of twenty-five thousand dollars;

(d) For decedents dying on or after January 1, 2025, and before January 1, 2026, nine percent of the clear market value of the beneficial interests received by each person in excess of twenty-five thousand dollars;

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

(f) For decedents dying on or after January 1, 2027, and before January 1, 2028, three percent of the clear market value of the beneficial interests received by each person in excess of twenty-five thousand dollars; and

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

Such rates of tax shall be applied to the clear market value of the beneficial interests in excess of ten thousand dollars received by each person.

(2) If the clear market value of the beneficial interest is less than or equal to the applicable exempt amount under subsection (1) of this section ten thousand dollars or less, it shall not be subject to any tax. In addition, any interest passing to a person who is under twenty-two years of age shall not be subject to tax.

Sec. 4. On or before July 1, 2023, and on or before July 1 of each year thereafter through July 1, 2029, the county treasurer of each county shall submit a report regarding inheritance taxes to the Department of Revenue. The report shall be submitted on a form prescribed by the department and shall include the following information for the most recently completed calendar year:

(1) The amount of inheritance tax revenue generated under section 77-2004 and the number of persons receiving property that was subject to tax under section 77-2004;

(2) The amount of inheritance tax revenue generated under section 77-2005 and the number of persons receiving property that was subject to tax under section 77-2005;

(3) The amount of inheritance tax revenue generated under section 77-2006 and the number of persons receiving property that was subject to tax under section 77-2006; and

(4) The number of persons who do not reside in this state and who...
5 received any property that was subject to tax under section 77-2004,  
6 77-2005, or 77-2006.  
7 Sec. 5. The Revisor of Statutes shall assign section 4 of this act  
8 to Chapter 77, article 20.  
9 Sec. 6. Original sections 77-2004, 77-2005, and 77-2006, Reissue  
10 Revised Statutes of Nebraska, are repealed.

Senator Albrecht filed the following amendment to LB596:  
AM1520
1 1. On page 3, line 11, strike "2021" and insert "2022".  
2 2. On page 4, line 19, strike "2025" and insert "2026".

Senator Flood filed the following amendment to LB502:  
AM1514 is available in the Bill Room.

VISITOR(S)

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

ADJOURNMENT

At 11:29 a.m., on a motion by Speaker Hilgers, the Legislature adjourned  
until 11:00 a.m., Thursday, January 6, 2022.

Patrick J. O'Donnell  
Clerk of the Legislature
SECOND DAY - JANUARY 6, 2022

LEGISLATIVE JOURNAL
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION
SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 6, 2022

PRAYER

The prayer was offered by Senator DeBoer.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Lowe.

ROLL CALL

Pursuant to adjournment, the Legislature met at 11:00 a.m., Speaker Hilgers presiding.

The roll was called and all members were present except Senators Vargas, Walz, and Wayne who were excused.

SENATOR LINDSTROM PRESIDING

CORRECTIONS FOR THE JOURNAL

The Journal for the first day was approved.

2021 INTERIM REPORT
ON THE DISPOSITION OF
INTERIM STUDY RESOLUTIONS

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### Appropriations

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<td>100</td>
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## Business and Labor

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## Education

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<td>149</td>
<td>Interim study to examine the potential for statewide early childhood autism spectrum disorder screening</td>
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<td>Interim study to examine how Nebraska schools can recruit teachers and administrators who can accurately reflect the proportion of students of color attending Nebraska schools</td>
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<td>Interim study to examine the identification of at-risk and economically disadvantaged students as a qualification factor for state-funded, education-related programs</td>
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<td>Interim study to examine home visitation for families in Nebraska</td>
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<td>213</td>
<td>Interim study to examine the mental and behavioral health needs of Nebraska students and the role of schools psychologists</td>
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committee of the Legislature to be known as the School Finance Study Committee

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

226 Interim study to examine ways the Legislature provides oversight of state agencies  X

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<td>174</td>
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<td>187</td>
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<td>Interim study to examine the rights, roles, and responsibilities of Nebraska county election officials, and relevant court and corrections personnel in carrying out state law regarding voting rights for former felony offenders</td>
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<td>191</td>
<td>Interim study to examine the effect of universal recognition of occupational licenses on populations frequently negatively impacted by occupational licensing in the state</td>
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### Health and Human Services

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<td>143</td>
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<td>Interim study to examine the contract process and rates paid to family service providers in Northern, Southeast, Central, and Western Service Areas of Nebraska</td>
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<td>Interim study to examine issues related to the operation of autonomous vehicles in Nebraska</td>
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<td>193</td>
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<td>Interim study to review issues relating to the collection of agricultural data in precision farming</td>
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<td>234</td>
<td>Interim study to examine issues</td>
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<td>LR</td>
<td>Subject</td>
<td>Completed Report Issued</td>
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<td>69</td>
<td>Interim study to examine receive reports and public input under the Municipal Density and Missing Middle Housing Act</td>
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<td>122</td>
<td>Interim study to examine the statutes governing cities of the metropolitan class</td>
<td>X</td>
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<td>123</td>
<td>Interim study to review the occupational regulations for radon measurement specialists and radon mitigation specialists</td>
<td>X</td>
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<td>124</td>
<td>Interim study to examine issues relating to the designation of extremely blighted areas under the Community Development Law</td>
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<td>125</td>
<td>Interim study to examine issues relating to the designation of enhance employment areas under the Community Development Law</td>
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<td>Interim study to examine issues relating to the designation of blighted areas and extremely blighted areas under the Community Development Law</td>
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<td>131</td>
<td>Interim study to examine the lack of affordable housing in Nebraska</td>
<td>X</td>
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<td>172</td>
<td>Interim study to examine the negative impacts of an oversaturation of nonprofit organizations and philanthropy in densely populated areas of high poverty</td>
<td>X</td>
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<td>208</td>
<td>Interim study to examine the</td>
<td>X</td>
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commercial property assessed
clean energy financing in
Nebraska

211 Interim study to examine issues
related to adopting construction
codes

ANNOUNCEMENT(S)

Priority designation(s) received:

Clements - LB310
Brewer - LB773
Linehan - LB364

BILLS ON FIRST READING

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

LEGISLATIVE BILL 793. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to the Election Act; to amend sections 14-205, 14-206, 14-207, 32-554, 32-801, 32-812, 32-813, 32-817, 32-1003, 32-1004, 32-1119, and 32-1122, Reissue Revised Statutes of Nebraska, sections 16-104, 17-527, 19-409, 32-101, 32-103, 32-202, 32-538, 32-901, and 32-1008, Revised Statutes Cumulative Supplement, 2020, and sections 32-816 and 32-1005, Revised Statutes Supplement, 2021; to define terms; to provide for ranked-choice voting for certain city or village offices; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 794. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to the Election Act; to amend sections 32-507, 32-609, and 32-813, Reissue Revised Statutes of Nebraska; to provide for nonpartisan election of the State Treasurer and the Auditor of Public Accounts; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 795. Introduced by Flood, 19.

A BILL FOR AN ACT relating to the Nebraska Uniform Prudent Management of Institutional Funds Act; to amend section 58-615, Reissue Revised Statutes of Nebraska; to change provisions relating to the release or modification of restrictions on the management, investment, or purpose of an institutional fund; and to repeal the original section.
LEGISLATIVE BILL 796. Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Arch, 14; Blood, 3; Briese, 41; Hansen, M., 26; Hunt, 8; Lowe, 37.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2117.02, Revised Statutes Cumulative Supplement, 2020; to change certain reporting requirements; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 797. Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Arch, 14; Blood, 3; Briese, 41; Hansen, M., 26; Hunt, 8; Lowe, 37.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2101, Revised Statutes Cumulative Supplement, 2020; to provide for removal of substandard and blighted area designations and extremely blighted area designations as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 798. Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Arch, 14; Blood, 3; Briese, 41; Hansen, M., 26; Hunt, 8; Lowe, 37.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2101.02, Revised Statutes Supplement, 2021; to change provisions relating to extremely blighted areas; and to repeal the original section.

LEGISLATIVE BILL 799. Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Arch, 14; Blood, 3; Briese, 41; Hansen, M., 26; Hunt, 8; Lowe, 37.

A BILL FOR AN ACT relating to the Municipal Density and Missing Middle Housing Act; to amend sections 19-5503 and 19-5504, Revised Statutes Cumulative Supplement, 2020; to update a federal reference; to change provisions relating to the contents of an affordable housing report; and to repeal the original sections.

LEGISLATIVE BILL 800. Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Arch, 14; Blood, 3; Briese, 41; Hansen, M., 26; Hunt, 8; Lowe, 37.

A BILL FOR AN ACT relating to cities of the metropolitan class; to amend sections 14-102.01, 14-102.02, 14-104, 14-106, 14-107, 14-108, 14-110, 14-111, 14-112, 14-113, 14-115, 14-116, 14-118, 14-120, 14-121, 14-122, 14-123, 14-124, 14-125, 14-136, 14-201, 14-201.03, 14-202, 14-204, 14-205, 14-206, 14-207, 14-210, 14-211, 14-212, 14-213, 14-214, 14-215, 14-216, 14-217.02, 14-218, 14-219, 14-220, 14-221, 14-224, 14-225, 14-226, 14-227, 14-228, 14-229, 14-230, 14-360, 14-361, 14-362, 14-365,
LEGISLATIVE BILL 801. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to the ImagiNE Nebraska Act; to amend section 77-6818, Revised Statutes Supplement, 2021; to redefine qualified
location as prescribed; and to repeal the original section.

LEGISLATIVE BILL 802. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to the Nebraska Wheat Resources Act; to amend sections 2-2303, 2-2309, 2-2311, 2-2312, 2-2315, and 2-2318, Reissue Revised Statutes of Nebraska; to redefine terms; to change powers of the Nebraska Wheat Development, Utilization, and Marketing Board; to change provisions relating to the excise tax collected on wheat; to change provisions relating to the cooperative authority of the board; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 803. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to game and parks; to amend section 37-455, Revised Statutes Cumulative Supplement, 2020; to redefine a term; to change provisions relating to limited permits for deer, antelope, wild turkey, or elk; and to repeal the original section.

LEGISLATIVE BILL 804. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to the Nebraska Power Review Board; to amend section 70-1003, Revised Statutes Cumulative Supplement, 2020; to change the compensation for certain board members as prescribed; and to repeal the original section.

LEGISLATIVE BILL 805. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to the Noxious Weed Control Act; to amend section 2-958.02, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to prioritization of applications and intent to appropriate funds; and to repeal the original section.

LEGISLATIVE BILL 806. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to drainage; to amend section 31-201, Reissue Revised Statutes of Nebraska; to change a provision relating to drainage by a landowner as prescribed; and to repeal the original section.

LEGISLATIVE BILL 807. Introduced by Brandt, 32.

A BILL FOR AN ACT relating to county government; to amend section 23-355.01, Reissue Revised Statutes of Nebraska; to change provisions relating to a tax levy and county funding for a nonprofit county historical association or society; and to repeal the original section.

LEGISLATIVE BILL 808. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act;
to amend section 28-416, Revised Statutes Cumulative Supplement, 2020, and section 28-405, Revised Statutes Supplement, 2021; to change provisions relating to the schedules of controlled substances; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 809.** Introduced by Moser, 22.

A BILL FOR AN ACT relating to water; to amend section 71-5322, Reissue Revised Statutes of Nebraska, and sections 71-5318 and 81-15,153, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the use of the Land Acquisition and Source Water Loan Fund; to change certain powers and duties of the Department of Environment and Energy; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 810.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to juvenile facilities; to amend section 83-4,134.01, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to room confinement of juveniles and required reports; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 811.** Introduced by Dorn, 30.

A BILL FOR AN ACT relating to the Nebraska Real Estate License Act; to amend section 81-887.03, Reissue Revised Statutes of Nebraska; to change provisions relating to auctioneers of real estate; to eliminate provisions relating to reciprocity; to repeal the original section; and to outright repeal sections 81-887.01 and 81-887.02, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 812.** Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to the Pharmacy Practice Act; to amend section 38-2891, Revised Statutes Supplement, 2021; to provide for vaccine administration by pharmacy technicians; to harmonize provisions; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 813.** Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to appropriations; to state intent relating to fund transfers and appropriation for trails.

**LEGISLATIVE BILL 814.** Introduced by McKinney, 11.

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

**LEGISLATIVE BILL 815.** Introduced by McKinney, 11.
A BILL FOR AN ACT relating to public health; to adopt the Diaper Changing Accommodation Act; and to provide an operative date.

LEGISLATIVE BILL 816. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to the Nebraska Treatment and Corrections Act; to amend section 83-178, Reissue Revised Statutes of Nebraska; to require collection of certain data upon admission of persons committed to the department; and to repeal the original section.

LEGISLATIVE BILL 817. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-376, 77-27,195, 77-4110, 77-4933, 77-5731, and 77-5807, Reissue Revised Statutes of Nebraska, sections 77-6811, 77-6831, 77-6832, 77-6837, and 77-6839, Revised Statutes Cumulative Supplement, 2020, and section 77-5907, Revised Statutes Supplement, 2021; to change provisions relating to the examination of financial records and certain reporting requirements; to change the ImagiNE Nebraska Act as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 818. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to the Sports Arena Facility Financing Assistance Act; to amend sections 13-3102, 13-3103, 13-3104, and 13-3108, Revised Statutes Supplement, 2021; to define and redefine terms; to authorize the use of state assistance to pay for nearby parking facilities as prescribed; to change provisions relating to limitations on state assistance; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 819. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to eliminate provisions relating to a tax study; and to outright repeal sections 77-3,115 and 77-3,116, Reissue Revised Statutes of Nebraska.


A BILL FOR AN ACT relating to municipalities; to amend sections 14-101, 14-101.01, 15-101, 19-415, and 31-508, Revised Statutes Cumulative Supplement, 2020; to change the population threshold for cities of the metropolitan class and cities of the primary class; to harmonize provisions; and to repeal the original sections.


A BILL FOR AN ACT relating to municipalities; to amend section 13-522, Reissue Revised Statutes of Nebraska, and section 13-518, Revised Statutes
Supplement, 2021; to adopt the Aid to Municipalities Act; to create a fund; to change provisions relating to budget limitations; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

**LEGISLATIVE BILL 822.** Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-4,100, Reissue Revised Statutes of Nebraska; to change provisions relating to reinstatement fees for operator's licenses; and to repeal the original section.

**LEGISLATIVE BILL 823.** Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to the Administrative Procedure Act; to amend section 84-920, Revised Statutes Cumulative Supplement, 2020; to prohibit state agencies from imposing annual filing and reporting requirements on charitable organizations as prescribed; to state intent; to define a term; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 824.** Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to personal care services; to amend sections 71-407, 71-6501, and 71-6602, Reissue Revised Statutes of Nebraska; to include bathing as an activity of daily living; and to repeal the original sections.

**LEGISLATIVE BILL 825.** Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 2021; to change provisions relating to the taxation of benefits received under the federal Social Security Act; and to repeal the original section.

**LEGISLATIVE BILL 826.** Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to the Public Funds Deposit Security Act; to amend section 77-2387, Revised Statutes Cumulative Supplement, 2020; to redefine a term; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 827.** Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701 and 77-2716, Revised Statutes Supplement, 2021; to allow income tax deductions for the cost of certain property and for certain research or experimental expenditures as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 828.** Introduced by Briese, 41.
A BILL FOR AN ACT relating to elections; to amend section 32-101, Revised Statutes Cumulative Supplement, 2020; to provide a violation and a penalty for unlawful manipulation of certain elections as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 829. Introduced by DeBoer, 10; Wishart, 27.

A BILL FOR AN ACT relating to offenses against animals; to amend sections 28-1009, 28-1012.01, and 28-1019, Reissue Revised Statutes of Nebraska; to change penalty and sentencing provisions as prescribed; to change a deadline for filing a hearing application relating to seized animals; and to repeal the original sections.

LEGISLATIVE BILL 830. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to children and families; to amend section 42-369, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to cash medical support; and to repeal the original section.

LEGISLATIVE BILL 831. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to criminal procedure; to amend sections 29-2258, 29-3601, 29-3602, 29-3603, and 29-3606, Reissue Revised Statutes of Nebraska, and sections 23-1201 and 83-1,135, Revised Statutes Cumulative Supplement, 2020; to name an act; to provide for caregiver diversion programs; to provide for conditional release of pregnant and postpartum inmates; to harmonize provisions; to repeal the original sections; and to outright repeal sections 29-3604, 29-3605, 29-3607, 29-3608, and 29-3609, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 832. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.03, Reissue Revised Statutes of Nebraska, and section 77-2716, Revised Statutes Supplement, 2021; to change individual income tax brackets and rates as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 833. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-228, Revised Statutes Cumulative Supplement, 2020; to change the statute of limitations on certain civil actions for sexual assault of a child; and to repeal the original section.

LEGISLATIVE BILL 834. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to the Wage and Hour Act; to amend section
LEGISLATIVE BILL 835. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to the Nebraska educational savings plan trust; to amend section 85-1804, Revised Statutes Cumulative Supplement, 2020, and section 85-1802, Revised Statutes Supplement, 2021; to define and redefine terms; to change powers and duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 836. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2101, Revised Statutes Cumulative Supplement, 2020; to require the review of substandard and blighted area designations and extremely blighted area designations as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 837. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to the Nebraska Energy Code; to amend section 81-1611, Revised Statutes Cumulative Supplement, 2020; to require the Director of Environment and Energy to provide information to the Legislature as prescribed; and to repeal the original section.


A BILL FOR AN ACT relating to the State Department of Education; to provide for an aid program; and to declare intent to appropriate funds.

LEGISLATIVE BILL 839. Introduced by Government, Military and Veterans Affairs Committee: Brewer, 43, Chairperson; Halloran, 33; Hansen, M., 26; Hunt, 8; Lowe, 37; Sanders, 45.

A BILL FOR AN ACT relating to truth and deception examiners; to amend sections 81-1932 and 81-1933, Reissue Revised Statutes of Nebraska, and section 84-512, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to truth and deception examinations; to repeal the Licensing of Truth and Deception Examiners Act; to provide a duty for the Revisor of Statutes; to harmonize provisions; to repeal the original sections;

**LEGISLATIVE BILL 840.** Introduced by Brewer, 43.

A BILL FOR AN ACT relating to legal notices; to amend sections 25-2228 and 33-141, Reissue Revised Statutes of Nebraska; to change provisions relating to publication and rates; and to repeal the original sections.

**LEGISLATIVE BILL 841.** Introduced by Brewer, 43.

A BILL FOR AN ACT relating to the Election Act; to amend sections 32-101, 32-103, and 32-939, Revised Statutes Cumulative Supplement, 2020; to define a term; to provide for registration to vote and application for ballots for members of the Nebraska National Guard; to provide for applications for ballots for emergency response providers; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 842.** Introduced by Brewer, 43.

A BILL FOR AN ACT relating to the Civic and Community Center Financing Act; to amend section 13-2706, Reissue Revised Statutes of Nebraska, and sections 13-2703, 13-2705, 13-2707, 13-2707.01, and 13-2709, Revised Statutes Cumulative Supplement, 2020; to define and redefine terms; to authorize grants of assistance to tribal governments as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 843.** Introduced by Brewer, 43.

A BILL FOR AN ACT relating to elections; to amend sections 32-118, 32-235, 32-318.01, 32-326, 32-331, 32-559, 32-615, 32-623, 32-809, 32-905, 32-908, 32-918, 32-949.01, 32-1031, 32-1033, 42-1207, 49-1494, and 77-3444, Reissue Revised Statutes of Nebraska, sections 17-503, 32-101, 32-103, 32-221, 32-223, 32-230, 32-231, 32-312, 32-956, 32-960, 32-962, 32-1121, 32-1203, 32-1306, 32-1405, 32-1524, and 32-1525, Revised Statutes Cumulative Supplement, 2020, and section 32-330, Revised Statutes Supplement, 2021; to define and redefine terms; to change provisions relating to petitions, filing, mailing, and voting deadlines, appointment of election workers, voter registration, registered voter lists, confidential records, primary election ballots, polling places, assistance for voting, replacement ballots, poll watchers, county canvassing boards, election costs, recall elections, initiative and referendum petitions, and electioneering; to eliminate certain filing requirements; to provide requirements for distribution of applications for voter registration and
requests for ballots for early voting; to provide requirements regarding requests for ballots for early voting; to provide for canceling elections as prescribed; and to repeal the original sections.

**LEGISLATIVE BILL 844.** Introduced by McCollister, 20.

A BILL FOR AN ACT relating to the Legislature; to amend section 32-566, Revised Statutes Cumulative Supplement, 2020; to provide requirements for filling vacancies in the Legislature; and to repeal the original section.

**LEGISLATIVE BILL 845.** Introduced by Slama, 1.

A BILL FOR AN ACT relating to boycotts; to adopt the Anti-Discrimination Against Israel Act; and to declare an emergency.

**LEGISLATIVE BILL 846.** Introduced by Slama, 1.

A BILL FOR AN ACT relating to the Nebraska Banking Act; to amend section 8-124, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to an annual audit; and to repeal the original section.

**LEGISLATIVE BILL 847.** Introduced by Wishart, 27.

A BILL FOR AN ACT relating to the Political Subdivisions Construction Alternatives Act; to amend section 13-2903, Revised Statutes Supplement, 2021; to redefine political subdivision to include certain utilities and power districts; and to repeal the original section.

**LEGISLATIVE BILL 848.** Introduced by Halloran, 33.

A BILL FOR AN ACT relating to the Animal Health and Disease Control Act; to amend sections 54-2940 and 54-2946, Reissue Revised Statutes of Nebraska; to change powers of the Department of Agriculture and duties of owners or custodians of dead animals relating to catastrophic livestock mortality or euthanization; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 849.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to the Election Act; to amend section 32-1518, Reissue Revised Statutes of Nebraska; to provide a penalty for certain violations relating to recall elections; and to repeal the original section.

**LEGISLATIVE BILL 850.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to property taxes; to amend sections 77-1739 and 77-1862, Reissue Revised Statutes of Nebraska; to change provisions relating to the cancellation and extinguishment of certain
delinquent taxes; and to repeal the original sections.

LEGISLATIVE BILL 851. Introduced by Wishart, 27; DeBoer, 10; Morfeld, 46.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-1008 and 28-1012, Reissue Revised Statutes of Nebraska; to redefine a term; to change enforcement procedures related to certain crimes involving animals; to harmonize provisions; and to repeal the original sections.

SPEAKER HILGERS PRESIDING

LEGISLATIVE BILL 852. Introduced by Day, 49; Hilkemann, 4; Linehan, 39; Pansing Brooks, 28; Wishart, 27.

A BILL FOR AN ACT relating to schools; to provide for behavioral health points of contact; and to provide duties for the State Department of Education, the Division of Behavioral Health of the Department of Health and Human Services, and school districts.

LEGISLATIVE BILL 853. Introduced by Day, 49; Pansing Brooks, 28; Wishart, 27.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-3508, Revised Statutes Cumulative Supplement, 2020; to provide a homestead exemption for certain disabled veterans as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 854. Introduced by Day, 49; Lindstrom, 18.

A BILL FOR AN ACT relating to reports of child abuse or neglect; to amend section 28-713, Revised Statutes Cumulative Supplement, 2020; to require notice as prescribed; and to repeal the original section.

LEGISLATIVE BILL 855. Introduced by Day, 49.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-911, Reissue Revised Statutes of Nebraska; to harmonize coverage provisions with federal law; and to repeal the original section.

LEGISLATIVE BILL 856. Introduced by Day, 49.

A BILL FOR AN ACT relating to the Aging and Disability Resource Center Act; to amend sections 68-1114, 68-1117, and 68-1119, Reissue Revised Statutes of Nebraska; to define a term; to change provisions relating to reimbursement for services; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 857. Introduced by Day, 49.
A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Supplement, 2021; to require the Department of Health and Human Services to implement express lane eligibility; to state intent regarding appropriations; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 858. Introduced by Clements, 2; Arch, 14; Bostelman, 23; Brewer, 43; Briese, 41; Erdman, 47; Flood, 19; Geist, 25; Groene, 42; Halloran, 33; Hansen, B., 16; Linehan, 39; Lowe, 37; Murman, 38; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to the Election Act; to amend section 32-101, Revised Statutes Cumulative Supplement, 2020; to restrict funding for elections; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 859. Introduced by Clements, 2; Albrecht, 17; Erdman, 47; Geist, 25; Groene, 42; Halloran, 33; Hansen, B., 16; Lowe, 37; Murman, 38; Slama, 1.

A BILL FOR AN ACT relating to local public health departments; to amend sections 71-1612 and 71-1630, Reissue Revised Statutes of Nebraska; to require city-county health departments to obtain the approval of the Department of Health and Human Services in issuing directed health measures; to harmonize provisions; and to repeal the original sections.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 268CA. Introduced by Briese, 41.

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

Section 1. At the general election in November 2022 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To add a new section 12 to Article XVII:

XVII-12 The Governor or any member of the Legislature may be recalled from office through the procedure and in the manner provided for by law. The procedure shall be known as recall and shall be in addition to any other method of removal from office provided by this Constitution.

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

A constitutional amendment to provide for recall of the Governor and members of the Legislature as provided by law.

For
Against.
LEGISLATIVE RESOLUTION 269CA. Introduced by Hunt, 8.

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

Section 1. At the general election in November 2022, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To add a new section 31 to Article III:

III-31 In addition to any other requirements of this Constitution, in establishing or revising the boundaries of all election districts for federal and state offices as provided in the Constitution of the United States or this Constitution:

(1) Every ten years beginning in 2031, the Legislature shall establish a screening committee of nine of its members, no more than five of whom may be affiliated with the same political party. Action by the screening committee shall require the affirmative votes of at least six of its members. The screening committee shall appoint a Commission on Redistricting with responsibility to draw and recommend to the Legislature the boundaries of election districts;

(2) The commission shall be comprised of nine registered voters of the State of Nebraska divided into three groups: Three commissioners affiliated with the largest political party in the state, three commissioners affiliated with the second largest political party in the state, and three commissioners not affiliated with either of these political parties. The opportunity to serve on the commission shall be broadly advertised to the public. The screening committee shall identify and make public a pool of candidates from among the registered voters of the state who apply to the screening committee, who have the ability to exercise nonpartisan, independent judgment in drawing election districts, and who in the judgment of the screening committee are likely to do so. The screening committee may interview applicants prior to finalizing the pool of candidates. The screening committee shall select two candidates in each of the three groups in the pool at random and appoint them to the commission and shall directly choose one candidate from each group and appoint them to the commission;

(3)(a) In order to be eligible to be a commissioner, a registered voter shall not have changed political affiliation in the three years prior to submission of the application.

(b) No commissioner, and no member of a commissioner's immediate family, shall be a member of Congress, a member of the Legislature, a constitutional officer of the State of Nebraska (other than a commissioner), an elected county or city official, an elected or appointed official or employee of a political party, a candidate for federal, state, county, or city elective office, a registered lobbyist, or a consultant for a political party or a candidate for federal, state, county, or city elective office.

(c) No commissioner or member of a commissioner's immediate family shall have held any of the positions listed in subdivision (c) of this subsection for at least five years prior to the commissioner's application.
(d) For purposes of this section, immediate family includes any person related to a commissioner by blood or marriage, including foster and adopted children;

(4) The screening committee shall appoint the commissioners on or before March 1, 2031, and on or before March 1 every ten years thereafter. Each commissioner's term shall expire ten years after the date of the commissioner's appointment or when the next commission is established, whichever is earlier. The screening committee shall fill vacancies on the commission from the same pool and group of candidates as the commissioner whose position is vacant. No commissioner shall be eligible for state office for a period of five years following the conclusion of service as a commissioner;

(5) The commission shall begin its work on or before April 1 of each year in which the commission is established and shall recommend maps setting forth the boundaries of all election districts by August 1 of that same year;

(6) The commission may retain employees, consultants, and legal counsel and contract for goods and services, but shall not retain or contract with an individual who would be ineligible to serve on the commission under subdivision (3) of this section or an entity owned or controlled by such an individual. On each day on which the commission meets to conduct its duties relating to redistricting, a commissioner shall be entitled to the same per diem and reimbursement of expenses as a member of the Legislature while the Legislature is in session;

(7) The Legislature shall provide meeting space and staff for the commission and shall appropriate the funds necessary for the commission to carry out its duties;

(8) The commission shall hold at least one public meeting in each congressional district prior to recommending maps to the Legislature. The commission shall make the maps proposed for recommendation and other data being considered readily available to the public across the state in a reasonably usable format at least seven days prior to the first such meeting and shall consider comments and maps provided by the public. Maps proposed by the commission shall be accompanied by a written explanation of the decisions made by the commission in drawing the maps;

(9) A quorum of the commission shall be seven commissioners. In order to be effective, any action taken by the commission, including the election of its chairperson and vice-chairperson and the recommendation of maps, shall have the votes of at least two commissioners from each of the three groups of commissioners;

(10) Subject to other provisions of this Constitution, election districts shall be drawn in accordance with the following criteria, in order of priority: (a) complying with federal law, (b) creating contiguous districts, (c) making districts as nearly equal in population as possible, (d) ensuring that districts do not deny or abridge the right to vote on the basis of race or language, (e) minimizing the division of county, municipal, and neighborhood boundaries, and (f) not intentionally favoring or disfavoring any incumbent or political party;

(11) Except as may be otherwise required by federal law or to evaluate maps for compliance with subdivision (10) of this section, election districts
shall be drawn without considering the political affiliation of voters or previous voting data;

(12) The commission shall recommend to the Legislature maps setting forth the boundaries of election districts. Such maps shall be subject to final approval by the Legislature;

(13) The Legislature shall not redraw any districts. If any districts are rejected by the Legislature, the commission shall redraw the maps containing such districts in compliance with subdivisions (10) and (11) of this section, taking into account any feedback from the Legislature, and resubmit such maps to the Legislature for approval;

(14) All proceedings of the Legislature and its committees regarding redistricting and all meetings of the commission shall be conducted in public or with a remote viewing option which is readily accessible by the public; and

(15) Any registered voter of the State of Nebraska may maintain an action to compel compliance with this section. The district court for Lancaster County shall have original jurisdiction over any such action.

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

A constitutional amendment to require appointment of a Commission on Redistricting to draw and recommend to the Legislature the boundaries of election districts.

For Against.

LEGISLATIVE RESOLUTION 270. Introduced by Gragert, 40; Aguilar, 35; Albrecht, 17; Arch, 14; Blood, 3; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Day, 49; DeBoer, 10; Dorn, 30; Erdman, 47; Flood, 19; Friesen, 34; Geist, 25; Groene, 42; Halloran, 33; Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hilkemann, 4; Hughes, 44; Hunt, 8; Kolterman, 24; Lathrop, 12; Lindstrom, 18; Linehan, 39; Lowe, 37; McCollister, 20; McDonnell, 5; McKinney, 11; Morfeld, 46; Moser, 22; Murman, 38; Pahls, 31; Pansing Brooks, 28; Sanders, 45; Slama, 1; Stinner, 48; Vargas, 7; Walz, 15; Williams, 36; Wishart, 27.

WHEREAS, Merton L. "Cap" Dierks of Ewing, Nebraska, was elected to the Legislature to represent legislative district 40 for a total of twenty years, ranging from 1987 to 2003 and 2007 to 2011; and

WHEREAS, Senator Dierks was born in O’Neill, Nebraska, on July 2, 1932; and

WHEREAS, Senator Dierks graduated from the University of Nebraska-Lincoln with a bachelor's degree in animal science and went on to earn his Doctorate in Veterinary Medicine from Kansas State University; and

WHEREAS, Senator Dierks served in the United States Air Force from 1954 to 1956; and

WHEREAS, Senator Dierks operated a family ranch near Ewing and co-owned the O'NeiLL Veterinary Clinic; and
WHEREAS, during his time in the Legislature, Senator Dierks served as chair for both the Agriculture Committee and the State-Tribal Relations Committee; and

WHEREAS, Senator Dierks' record as a public servant is filled with many accomplishments and achievements in agriculture, animal welfare, natural resources, economic development, education, and the protection of the unborn which have resulted in a better life for Nebraskans; and

WHEREAS, Senator Dierks married the love of his life, Gloria Zoeller, on December 27, 1958, and had four children, Jon, Tom, Chris, and Stephanie, eleven grandchildren, and four great-grandchildren; and

WHEREAS, Senator Dierks passed away on Friday, October 22, 2021, at the age of eighty-nine and was joined by his wife Gloria on Saturday, December 18, 2021; and

WHEREAS, Senator Dierks will be remembered for his integrity, sincerity, and impact on the state.

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

1. That the Legislature offers its condolences to the family of Merton L. "Cap" Dierks and recognizes the dedicated years of service Senator Dierks provided to his community and the state.

2. That a copy of this resolution be sent to the family of Merton L. "Cap" Dierks.

Laid over.

MOTION(S) - Print in Journal

Senator Hunt filed the following motion to LB781:

MO115

Indefinitely postpone.

ANNOUNCEMENT(S)

Priority designation(s) received:

Cavanaugh, M. - LB376

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Slama name added to LB643.
Senator Brewer name added to LB783.
Senator Walz name added to LB792.
Senator Flood name added to LR14.
VISITOR(S)

The Doctor of the Day was Dr. Joe Miller of Omaha.

ADJOURNMENT

At 12:10 p.m., on a motion by Senator Hughes, the Legislature adjourned until 11:00 a.m., Friday, January 7, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
THIRD DAY - JANUARY 7, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Friday, January 7, 2022

PRAYER

The prayer was offered by Senator Lowe.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Albrecht.

ROLL CALL

Pursuant to adjournment, the Legislature met at 11:00 a.m., Speaker Hilgers presiding.

The roll was called and all members were present except Senators Lindstrom, Vargas, and Wayne who were excused; and Senators Hunt and McDonnell who were excused until they arrive.

SENATOR WILLIAMS PRESIDING

CORRECTIONS FOR THE JOURNAL

The Journal for the second day was approved.

MESSAGE(S) FROM THE GOVERNOR

January 7, 2022

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

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

Contingent upon your approval, the following individuals are being
appointed to the Commission for the Blind and Visually Impaired:

Cheryl Livingston, 1026 S. 35 Street, Lincoln, NE 68510
Linda Mentink, 3313 30th Street, Columbus, NE 68601

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

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

January 7, 2022

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

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

Contingent upon your approval, the following individual is being appointed to the Rural Health Advisory Commission:

Jeffery D. Harrison, M.D., 120 S. 31st Avenue, #5706, Omaha, NE 68131

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

Michael A. Greene, M.D., 1015 N. 14th Street, Apt 301, Omaha, NE 68102
Cherlyn Hunt, LNHA, MHA, QCP, cna, 431 East Calkins Avenue, Elm Creek, NE 68836
Rebecca A. Schroeder, Ph.D., 212 W. 9th Street, P.O. Box 4, Curtis, NE 69025
Roger D. Wells, PA-C, 2405 Patriot Drive, Lexington, NE 68850

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

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

January 7, 2022

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

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

Contingent upon your approval, the following individuals are being reappointed to the Nebraska Game and Parks Commission:

Patrick L. Berghgren, 1109 S. 5th Avenue, Broken Bow, NE 68822
Scott L. Cassels, 1317 N. 141 Avenue, Omaha, NE 68154
Douglas A. Zingula, 2791 Fort Sidney Road, Sidney NE 69162

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

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

January 7, 2022

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

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

Contingent upon your approval, the following individual is being appointed to the Coordinating Commission for Postsecondary Education:

Dennis A. Headrick, Ph.D., 5808 Box Canyon Circle, Lincoln, NE 68516

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

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

January 7, 2022

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

Contingent upon your approval, the following individual is being appointed to the Nebraska Oil and Gas Conservation Commission:

Paul E. Strommen, 2105 15th Avenue, Sidney, NE 69162

Also, contingent upon your approval, the following individual is being reappointed to the Nebraska Oil and Gas Conservation Commission:

Dallen R. Juelfs, 1301 S. 50th Street, Lincoln, NE 68510

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

Sincerely,

(Signed) Pete Ricketts
Governor

Enclosures

REPORTS

Agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 860. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 23-3616, 23-3621, and 77-1391, Reissue Revised Statutes of Nebraska, section 79-1016, Revised Statutes Cumulative Supplement, 2020, and sections 77-201 and 77-5023, Revised Statutes Supplement, 2021; to change provisions relating to sewer tax levies; to change the valuation of certain real property; to change provisions relating to historically significant real property, acceptable ranges for valuation, and state aid value; and to repeal the original sections.

LEGISLATIVE BILL 861. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to elections; to amend section 32-607, Revised Statutes Cumulative Supplement, 2020; to require an email address
on all candidate filing forms; and to repeal the original section.

**LEGISLATIVE BILL 862.** Introduced by McCollister, 20.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-911, Reissue Revised Statutes of Nebraska; to require coverage of dialysis and kidney transplants as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 863.** Introduced by Williams, 36.

A BILL FOR AN ACT relating to the Insurance Holding Company System Act; to amend sections 44-2121, 44-2132, 44-2138, and 44-9004, Reissue Revised Statutes of Nebraska; to define terms; to require the filing of annual group capital calculations and liquidity stress tests as prescribed; to provide for confidentiality and recognize trade secrets as prescribed; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 864.** Introduced by Gragert, 40.

A BILL FOR AN ACT relating to the Nebraska educational savings plan trust; to amend section 85-1812, Reissue Revised Statutes of Nebraska, sections 85-1804 and 85-1809, Revised Statutes Cumulative Supplement, 2020, and section 85-1802, Revised Statutes Supplement, 2021; to define and redefine terms; to authorize qualified education loan payments as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 865.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to child care; to amend section 43-536, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to a market survey; to state intent regarding appropriations; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 866.** Introduced by Brandt, 32.

A BILL FOR AN ACT relating to the State Electrical Act; to amend section 81-2126, Reissue Revised Statutes of Nebraska; to change a fee; and to repeal the original section.

**LEGISLATIVE BILL 867.** Introduced by Morfeld, 46; Hansen, M., 26; Pansing Brooks, 28.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds for Human Immunodeficiency Virus (HIV) Surveillance and Prevention Programs; and to declare an emergency.

**LEGISLATIVE BILL 868.** Introduced by Morfeld, 46.
A BILL FOR AN ACT relating to the State Department of Education; to amend section 71-1962, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to a classification system used for the granting of income tax credits; and to repeal the original section.


A BILL FOR AN ACT relating to labor; to amend section 48-234, Reissue Revised Statutes of Nebraska; to change a provision relating to the rights of an adoptive parent to a leave of absence; and to repeal the original section.

LEGISLATIVE BILL 870. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to the Risk Management Program; to amend sections 81-8,239.05 and 81-8,239.11, Reissue Revised Statutes of Nebraska, and section 81-8,239.02, Revised Statutes Cumulative Supplement, 2020; to provide for payment of attorney's fees from the State Self-Insured Indemnification Fund and the State Self-Insured Liability Fund; to change provisions relating to notifying the Risk Manager of insufficient funds; and to repeal the original sections.


A BILL FOR AN ACT relating to labor; to amend sections 48-144.01, 48-2207, 48-2208, 48-2209, 48-2210, 48-2211, 48-2212, 48-2213, and 48-2214, Reissue Revised Statutes of Nebraska; to change provisions relating to reports under the Nebraska Workers' Compensation Act; to define and redefine terms; to change provisions under the Non-English-Speaking Workers Protection Act relating to duties of employers and meatpacking operations and powers and duties of the meatpacking industry worker rights coordinator and the commissioner of labor, enforcement, and civil actions; to provide for confidentiality and civil penalties; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 872. Introduced by Brewer, 43; Pansing Brooks, 28.

A BILL FOR AN ACT relating to schools; to amend section 85-1601, Reissue Revised Statutes of Nebraska; to authorize the wearing of tribal regalia by students as prescribed; to define a term; to change provisions of the Private Postsecondary Career School Act; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 873. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 85-1402, 85-1516, 85-1517, 85-1520, 85-1521, and 85-1535, Reissue Revised Statutes of Nebraska, and section 77-3442, Revised Statutes
Supplement, 2021; to change provisions relating to the levy authority for community college areas; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 874.** Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the State Aeronautics Act; to amend sections 3-101 and 3-154, Revised Statutes Cumulative Supplement, 2020; to define a term; to require approval by the Director-State Engineer of a fee imposed by certain airport authorities as prescribed; to provide duties; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 875.** Introduced by Friesen, 34.

A BILL FOR AN ACT relating to government; to amend sections 23-314, 23-320, 39-818, 39-819, 39-821, 39-1309.01, 39-1315, 39-1326, 39-1334, 39-1361, 39-2803, 49-617, 60-6,103, 60-6,167, 60-6,188, 60-6,190, 60-6,288, 60-6,292, 60-6,294, 60-6,295, 66-4,100, 66-4,144, 71-3526, and 84-203, Reissue Revised Statutes of Nebraska, sections 3‑103, 3‑104, 13‑1203, 39‑221, 39‑891, 39‑1101, 39‑1110, 39‑1301, 39‑1311, 39‑1314, 39‑1323.01, 39‑1349, 39‑1390, 39‑2109, 39‑2120, 81‑102, 81‑701.01, 81‑701.02, 81‑701.04, 81‑15,210, and 86‑570, Revised Statutes Cumulative Supplement, 2020, and section 39‑2106, Revised Statutes Supplement, 2021; to rename the Director-State Engineer for the Department of Transportation as the Director of Transportation for the Department of Transportation; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 876.** Introduced by Briese, 41.

A BILL FOR AN ACT relating to gaming; to amend section 2‑1205, Reissue Revised Statutes of Nebraska, and sections 9‑1101, 9‑1104, 9‑1106, 9‑1107, 9‑1110, 9‑1111, 9‑1112, 9‑1113, 9‑1114, 9‑1115, 9‑1116, 9‑1205, 9‑1206, 9‑1207, and 84‑712.05, Revised Statutes Supplement, 2021; to change provisions relating to licenses issued by the State Racing and Gaming Commission; to change provisions relating to the Nebraska Racetrack Gaming Act; to rename a fund; to change penalties; to change provisions relating to a gaming tax; to change provisions relating to documents which may be withheld from the public; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 877.** Introduced by Briese, 41.

A BILL FOR AN ACT relating to horseracing; to amend sections 2‑1205, 2‑1218, and 2‑1220, Reissue Revised Statutes of Nebraska, and sections 2‑1201, 2‑1202, 2‑1203, 2‑1203.02, 2‑1207, 2‑1208, 2‑1211, 2‑1213, 2‑1215, 2‑1219, 2‑1221, and 2‑1222, Revised Statutes Supplement, 2021; to change provisions relating to the State Racing and Gaming Commission; to
change licensing requirements; to change fines and penalties; to rename a fund; to eliminate a provision relating to conducting horseracing on Sunday; to harmonize provisions; to repeal the original sections; and to outright repeal section 2-1213.01, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 878. Introduced by Cavanaugh, J., 9; McKinney, 11.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-901.03, Reissue Revised Statutes of Nebraska; to provide for automatic review of bail and conditions of release cases involving a misdemeanor or violation of a city or village ordinance; and to repeal the original section.

LEGISLATIVE BILL 879. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend sections 43-279 and 43-280, Reissue Revised Statutes of Nebraska; to provide for answers of no contest in adjudication hearings; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 880. Introduced by McKinney, 11; Cavanaugh, J., 9.

A BILL FOR AN ACT relating to incarceration; to amend sections 47-108, 47-109, 47-116, and 47-206, Reissue Revised Statutes of Nebraska, and section 83-1,135, Revised Statutes Cumulative Supplement, 2020; to provide a limitation on the mark-up of commissary goods in county and city jails and in the Department of Correctional Services adult correctional facilities; and to repeal the original sections.

LEGISLATIVE BILL 881. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to feminine hygiene products; to amend sections 77-2701, 77-2701.04, 77-2701.41, 77-2711, 77-2713, and 77-27,223, Revised Statutes Supplement, 2021; to provide a sales and use tax exemption for feminine hygiene products; to define terms; to require detention facilities to provide feminine hygiene products to female prisoners free of charge; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 882. Introduced by McKinney, 11; Cavanaugh, J., 9.

A BILL FOR AN ACT relating to criminal justice; to amend section 81-1414.15, Revised Statutes Supplement, 2021; to change a records retention requirement; to require city and county attorneys and the Attorney General to maintain public Brady and Giglio lists; to provide a duty for the Nebraska Commission on Law Enforcement and Criminal Justice; and to repeal the original section.

LEGISLATIVE BILL 883. Introduced by McKinney, 11; Cavanaugh, J., 9.
A BILL FOR AN ACT relating to juveniles; to amend sections 29-401, 43-248.01, and 43-249, Reissue Revised Statutes of Nebraska, and sections 43-250 and 43-253, Revised Statutes Cumulative Supplement, 2020; to require confidentiality for criminal prosecutions of minors tried as adults; to require notification of a juvenile's parent, guardian, or custodian when a juvenile is taken into custody as prescribed; to define terms; to require that a juvenile's parent, guardian, or custodian be present when requested; to prohibit the use of certain statements in court proceedings as prescribed; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 884. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the One-Call Notification System Act; to amend sections 76-2301, 76-2302, 76-2303, 76-2313, 76-2317, 76-2321, 76-2324, and 76-2326, Reissue Revised Statutes of Nebraska, and sections 76-2301 and 76-2303, Revised Statutes Cumulative Supplement, 2020; to restate legislative intent; to define and redefine terms; to provide for notice to private residential owners as prescribed; to provide duties; to harmonize provisions; and to repeal the original sections.

SPEAKER HILGERS PRESIDING

LEGISLATIVE BILL 885. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend section 38-101, Revised Statutes Supplement, 2021; to require implicit bias training for certain applicants and credential holders under the Uniform Credentialing Act; to define a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 886. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to incarceration; to amend section 47-1004, Reissue Revised Statutes of Nebraska; to prohibit certain restraints for pregnant prisoners or detainees; to provide for support persons during labor and recovery; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 887. Introduced by Slama, 1.

A BILL FOR AN ACT relating to state colleges; to amend sections 85-302, 85-304, 85-304.03, 85-305, 85-306, 85-307, 85-308.01, 85-951, 85-957, and 85-958, Reissue Revised Statutes of Nebraska, and sections 85-301 and 85-308, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to expenses and officers for the Board of Trustees of the Nebraska State Colleges; to update terminology; to eliminate references to sections not applicable to state colleges; to change provisions relating to meetings; to eliminate a fee; to change provisions relating to conference of
degrees; to change provisions relating to the authorization for master's programs; to eliminate duties; to eliminate provisions relating to morals and prohibiting religious tests; to harmonize provisions; to repeal the original sections; and to outright repeal sections 85-303, 85-311, 85-312, and 85-954, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 888. Introduced by Day, 49.

A BILL FOR AN ACT relating to education; to amend section 79-719, Reissue Revised Statutes of Nebraska; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 889. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to the Nebraska Hemp Farming Act; to amend sections 2-503, 2-504, 2-505, 2-506, 2-508, 2-509, 2-510, 2-511, 2-514, 2-515, and 2-517, Revised Statutes Cumulative Supplement, 2020, and section 28-401, Revised Statutes Supplement, 2021; to change and update federal references; to define a term; to eliminate obsolete provisions; to change provisions relating to the state plan for regulation of hemp and rules and regulations, fees, duties, violations, and testing and transporting of hemp; to provide for remediation of certain hemp; to change a meeting requirement for the Nebraska Hemp Commission; to harmonize provisions; to repeal the original sections; to outright repeal section 2-5701, Revised Statutes Cumulative Supplement, 2021; and to declare an emergency.

LEGISLATIVE BILL 890. Introduced by Walz, 15; Kolterman, 24; Lindstrom, 18.

A BILL FOR AN ACT relating to education; to amend sections 79-1002, 79-1009.01, and 79-1031, Reissue Revised Statutes of Nebraska, sections 79-703, 79-1001, 79-1005, 79-1005.01, 79-1007.13, 79-1008.01, 79-1009, 79-1015.01, 79-1017.01, 79-1018.01, 79-1022, 79-1022.02, 79-1027, 79-1031.01, 79-11,155, 79-2104, 79-2104.01, 79-2104.03, and 79-2104.04, Revised Statutes Cumulative Supplement, 2020, and sections 79-1003, 79-1007.11, 79-1023, 79-1065.02, and 79-2104.02, Revised Statutes Supplement, 2021; to change the Tax Equity and Educational Opportunities Support Act as prescribed; to create a fund; to eliminate provisions relating to community achievement plans; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; to outright repeal section 79-2122, Revised Statutes Cumulative Supplement, 2020; and to declare an emergency.

LEGISLATIVE BILL 891. Introduced by Lindstrom, 18; Kolterman, 24; Walz, 15.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 70-651.04, 79-1081, 79-1082, and 79-2404, Reissue Revised Statutes of Nebraska, sections 79-525, 79-528, 79-1001, 79-1024, 79-1041, 79-10,110,
79-10,110.02, 79-10,120, 79-10,126, 79-2104, and 81-12,193, Revised Statutes Cumulative Supplement, 2020, and sections 77-1736.06, 77-27,132, 77-3442, 77-4212, 77-4602, 77-6703, and 79-1003, Revised Statutes Supplement, 2021; to change the distribution of sales and use tax revenue as prescribed; to change levy limitations for school districts; to change provisions relating to the amount of relief granted under the Property Tax Credit Act; to discontinue the granting of credits under the Nebraska Property Tax Incentive Act; to redefine a term; to create a fund; to state intent; to change provisions relating to special building funds and qualified capital purpose undertaking funds; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; to outright repeal sections 79-1073 and 79-10,126.01, Revised Statutes Cumulative Supplement, 2020; and to declare an emergency.

LEGISLATIVE BILL 892. Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Nebraska Real Estate License Act; to amend section 81-885.02, Reissue Revised Statutes of Nebraska, and sections 81-885.04 and 81-885.13, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to restrictions on unlicensed persons, applicability of the act, and broker's license applications; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 893. Introduced by Stinner, 48; Arch, 14.

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

LEGISLATIVE BILL 894. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to the Public Accountancy Act; to amend section 1-162.01, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to firm ownership; and to repeal the original section.

LEGISLATIVE BILL 895. Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Supplement, 2021; to provide requirements and limits on the use of prior authorizations by managed care organizations; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 896. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Nebraska Treatment and Corrections Act; to amend sections 83-182.01 and 83-1,135, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to structured programming; to define terms; to require program evaluations; to harmonize
provisions; and to repeal the original sections.

LEGISLATIVE BILL 897. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Legislature; to amend sections 28-711, 43-4302, 43-4303, 43-4317, 43-4320, 43-4321, 43-4322, 43-4324, 43-4326, 43-4329, 43-4330, 47-901, 47-902, 47-903, 47-904, 47-905, 47-907, 47-908, 47-909, 47-910, 47-911, 47-912, 47-913, 47-914, 47-915, 47-918, 47-919, and 47-920, Reissue Revised Statutes of Nebraska, and sections 28-712.01, 43-2,108, 43-4301, 43-4302, 43-4303, 43-4304, 43-4304, 43-4307, 43-4308, 43-4309, 43-4310, 43-4311, 43-4312, 43-4313, 43-4314, 43-4315, 43-4316, 43-4317, and 47-906, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 898. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-103.49, Reissue Revised Statutes of Nebraska; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 899. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-124.11, Reissue Revised Statutes of Nebraska; to change provisions regarding special designated licenses; and to repeal the original section.

LEGISLATIVE BILL 900. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-123.16 and 53-129, Reissue Revised Statutes of Nebraska; to change provisions relating to microdistilleries; to allow up to five physical locations; and to repeal the original sections.

LEGISLATIVE BILL 901. Introduced by Pansing Brooks, 28; Hansen, B., 16.

A BILL FOR AN ACT relating to public health and welfare; to provide for cytomegalovirus public education and prevention.

LEGISLATIVE BILL 902. Introduced by Aguilar, 35; Flood, 19; Groene, 42; Halloran, 33; Linehan, 39; Sanders, 45; Slama, 1; Wishart, 27.
A BILL FOR AN ACT relating to postsecondary education; to adopt the Nebraska Career Scholarship Act; and to provide an operative date.

LEGISLATIVE BILL 903. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-101 and 28-311.08, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to criminal privacy violations; to prohibit spying by unmanned aircraft; to define terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 904. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the University of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 905. Introduced by Walz, 15; Blood, 3; Cavanaugh, M., 6; DeBoer, 10; Linehan, 39; Pansing Brooks, 28; Sanders, 45; Wishart, 27.

A BILL FOR AN ACT relating to the Medicine and Surgery Practice Act; to amend section 38-2001, Revised Statutes Cumulative Supplement, 2020; to define terms; to provide for perinatal mental health screenings; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 906. Introduced by Hansen, B., 16; Aguilar, 35; Albrecht, 17; Flood, 19; Friesen, 34; Gragert, 40; Groene, 42; Lowe, 37; Murman, 38; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to public health; to provide duties for the Department of Health and Human Services; to require employers to provide for a vaccine exemption; to define terms; and to declare an emergency.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 271. Introduced by Brewer, 43; Pansing Brooks, 28.

WHEREAS, Nebraskans value the history of this state and the men and women who have shaped our history; and

WHEREAS, Nebraskans appreciate and respect the sacrifices of our military servicemen and servicewomen, as well as the families that support them; and

WHEREAS, Nebraska is working to become the most military and veteran-friendly state in the nation; and

WHEREAS, Nebraska has a proud military history predating the Civil War; and
WHEREAS, The First Regiment Nebraska Volunteer Infantry proudly fought on behalf of the Union during the Civil War; and
WHEREAS, The state should do all it can to honor past and present military members; and
WHEREAS, from his birth on the banks of the Niobrara River in Nebraska until his death in 1908, Chief Standing Bear spent his life striving to gain equality and justice for Native American people; and
WHEREAS, following the Treaty of 1868, Chief Standing Bear and the Ponca Tribe were forced by the federal government to leave their homeland in Nebraska for Indian Territory in present-day Oklahoma; and
WHEREAS, the hardships of travel, illness, and the conditions of Indian Territory caused many members of the Ponca Tribe to perish, including Chief Standing Bear's son; and
WHEREAS, determined to bury his son in his homeland, Chief Standing Bear led thirty members of his tribe back to their home in Nebraska; and
WHEREAS, The United States Army detained Chief Standing Bear upon his return to Nebraska and supporters in Omaha then filed a writ of habeas corpus on behalf of Chief Standing Bear and the Ponca Tribe; and
WHEREAS, Chief Standing Bear became the first Native American to be recognized as a person in a federal court decision issued at trial in Omaha; and
WHEREAS, it is appropriate to honor Chief Standing Bear as one of the most important persons in Nebraska history, as a leader of the original Native American inhabitants of Nebraska, and for his influence in fighting for justice and equality under the law.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature hereby names the building owned by this state and located at 1526 K Street, Lincoln, Nebraska, as the First Nebraska Administrative Building.
2. That the Legislature hereby names the building owned by this state and located at 521 South 14th Street, Lincoln, Nebraska, as Chief Standing Bear Justice Administration Building.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR271 was referred to the Reference Committee.

MESSAGE FROM THE SECRETARY OF STATE

January 6, 2022

Mr. President, Mr. Speaker and
Members of the Legislature
State Capitol
Dear Mr. President and Senators:

The purpose of this letter is to inform the honorable members of the Legislature that I have made the following appointment requiring Legislative confirmation:

Ann Ashford, Nebraska Accountability and Disclosure Commission

This appointment was made by me pursuant to the provisions of Sections 49-14,105 and 49-14,110 and is respectfully submitted for your consideration.

Attached is additional background information on the qualifications of the appointment.

Sincerely,

(Signed) Robert B. Evnen
Secretary of State

cc: Frank Daley

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Kolterman name added to LB721.
Senator Linehan name added to LB773.
Senator Sanders name added to LB773.
Senator Kolterman name added to LB777.
Senator Linehan name added to LB781.
Senator Gragert name added to LB841.
Senator Wayne name added to LR270.

VISITOR(S)

The Doctor of the Day was Dr. Dave Hoelting of Pender.
ADJOURNMENT

At 11:52 a.m., on a motion by Senator Gragert, the Legislature adjourned until 11:00 a.m., Monday, January 10, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
FOURTH DAY - JANUARY 10, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

FOURTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, January 10, 2022

PRAYER

The prayer was offered by Senator Aguilar.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Halloran.

ROLL CALL

Pursuant to adjournment, the Legislature met at 11:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Flood, McCollister, Stinner, Vargas, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the third day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

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Priority designation(s) received:

Hansen, B. - LB906

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 9, 2022, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Abboud, Chris - Public Affairs Group
MasterCard

Abraham, Christine K.
League of Nebraska Municipalities

Adler, Joseph
Holland Children's Movement

Albrecht, Tim
Apple Inc.
Alston, Garth R.
Altria Client Services LLC and its Affiliates
Amack, Angela K.
Center for People in Need
Everytown for Gun Safety Action Fund
Grand Island Public Schools
International Brotherhood of Electrical Workers (IBEW)
Jensen Rogert Associates, Inc.
American Communications Group, Inc.
AARP Nebraska
Advanced Power Alliance
American Cancer Society Cancer Action Network
Autism Speaks
Center for Rural Affairs
EHPV Lottery Services LLC aka Big Red Keno
Empyrean Brewing Company
Food Bank of Lincoln
Food Bank of the Heartland
Friends of Public Health in Nebraska
Health Center Association of Nebraska
Legal Aid of Nebraska
NC2-Nebraska Cancer Coalition
Nebraska Appleseed
Nebraska Association of Behavioral Health Organizations
Nebraska Association of Public Employees NAPE/AFSCME Local 61
Nebraska Chapter of the American Physical Therapy Association
Nebraska Child Health and Education Alliance
Nebraska Commission on Public Advocacy, The
Nebraska Dental Assistants Association
Nebraska Investment Finance Authority
Nebraska Occupational Therapy Association
Nebraska Society for Respiratory Care
Nebraska Speech-Language-Hearing Association (NSLHA)
Nebraska State AFL-CIO
Nonprofit Association of the Midlands
North Central States Regional Council of Carpenters
OneMain Holdings, Inc.
Regions II and V
Research Nebraska!
The Nebraska Coalition for Lifesaving Cures
UNO Chapter of the AAUP
Vigilnet America LLC
Windstream Communications
YMCA’s of Nebraska
Ames, Ann
Windstream Communications
Anderson, Josh
Christensen Farms & Feedlots, Inc.
Arch, Cameron
Blue Cross and Blue Shield of Nebraska
Ashour, Madeleine
   Excellence in Education National, Inc., d/b/a Excellence in Education in Action
Baier, Richard J.
   Nebraska Bankers Association
Baird Holm LLP
   Avail
   BHE Renewables, LLC
   Brickway Brewery & Distillery
   Kinkaider Brewing Co, LLC
   National Grid Renewables Development, LLC
   Nebraska Craft Brewers Guild
Baker, A. J.
   Caesars Enterprise Services, LLC
Baker, Cassi
   Jazz Pharmaceuticals, Inc. and its subsidiaries, including Greenwich Biosciences, Inc.
Barrett, John R.
   Great Plains Communications, Inc.
Bass, Katherine
   First Five Nebraska
Beasley, Daniel
   Home School Legal Defense Association
Beck, Craig
   OpenSky Policy Institute
Becker, Jill
   Black Hills Energy
Bell, Robert
   Nebraska Insurance Federation
Benjamin, Melody
   Nebraska Cattlemen, Inc.
Benson, Jenni
   Nebraska State Education Association
Beyer, Nolan
   Millard Public Schools
Biddison, Morgan
   Tri-State Generation and Transmission Association
Blake, Jeremiah
   Blue Cross and Blue Shield of Nebraska
Bodeen, Carol
   Nebraska Housing Developers Association
Boganowski, Bryan
   Nebraska Families 4 Medical Cannabis
Bohrer, Bruce J.
   Lincoln Chamber of Commerce
Borgeson, Robert A.
   SMART-TD
Boudreau, Brenden
  National Association for Gun Rights
Bowling, Karen
  Nebraska Family Alliance
Bracht, David L.
  Catalyst Public Affairs
Brady, Justin J.
  Radcliffe, Walter H. of Radcliffe Gilbertson & Brady
Brandt, Horan, Hallstrom and Stilmock
  National Federation of Independent Business (NFIB)
  National Guard Association of Nebraska
  Nebraska Bankers Association
  Nebraska Bankers Insurance and Services Company (NBISCO)
  Nebraska Fire Chiefs' Association
  Nebraska Pharmacists Association
  Nebraska State Volunteer Firefighters' Association
  Nebraskans for Workers' Compensation Equity and Fairness
Bromm & Associates
  Aflac
  Douglas County West Community Schools
  Education Service Unit #3
  Educational Service Unit Coordinating Council
  Nebraska Council of School Administrators
  Springfield Platteview Community Schools
  Verizon Communications, Inc.
Bromm, Curt
  Bromm & Associates
Bromm, Jason
  Bromm & Associates
Brown, Paige
  Nebraska Catholic Conference
Brown, Scott
  Vertex Pharmaceuticals Incorporated
Brunkhorst, Kelly
  Nebraska Corn Growers Association
Buettner, Jeffrey J.
  Central Nebraska Public Power and Irrigation
Caldwell, Dawn
  Renewable Fuels Nebraska
Cannon, Jonathan
  Nebraska Association of County Officials
Carpenter, Jalene
  Nebraska Health Care Association, Inc.
Catalyst Public Affairs
  Bellino Enterprises
  Binti
  Charter Communications, Inc.
  Columbus Exposition and Racing
  CRH Americas, Inc.
History Nebraska Foundation
Home Instead, Inc.
Invenergy LLC
Jobs for America's Graduates Nebraska
Koch Companies Public Sector, LLC and Affiliates
KVC Health Systems, Inc.
Lutheran Family Services of Nebraska
MAXIMUS, Inc.
Nebraska Board of Engineers and Architects
Nebraska Health Information Initiative, Inc.
Nebraska Intergovernmental Risk Management Association
NextEra Energy Resources, LLC
Papillion - La Vista School District
Papio-Missouri River Natural Resources District
Sarpy County Board of Commissioners
Chaffin, Lash
   League of Nebraska Municipalities
Chandler, Thomas
   Aircraft Owners and Pilots Association (AOPA)
Cheloha, John A.
   City of Omaha
Christensen, Graham
   GC ReVOLT, LLC
Coash, Colby
   Nebraska Association of School Boards
Conrad, Danielle
   ACLU Nebraska
Couture-Lovelady, Travis
   National Rifle Association
CP Strategies LLC
   Centene Corporation on behalf of its affiliates and subsidiaries
   KAAPA Ethanol, LLC
   Nebraska Petroleum Producers Association
   Nomi Health, Inc.
   Scientific Games Corporation
   T-Mobile
Creager, Jennifer
   Greater Omaha Chamber
Danek, Sandy
   Nebraska Right to Life
Davis, Al
   Nebraska Chapter of the Sierra Club
Davis, Hillary
   Student Press Law Center
Davis, Jeremy
   The Nebraska Geological Society
DeBow, Chris
   Public Trust Advisors, LLC
Decamp, Suzan
AARP Nebraska
DeLong, Danny
AARP Nebraska
Dentlinger, Courtney
Nebraska Public Power District
Devitt, Michelle
Immigrant Legal Center
Dibbern, Chris
Nebraska Municipal Power Pool
Dobler, James B.
Professional Insurance Agents of Nebraska
Dubas, Annette
Nebraska Association of Behavioral Health Organizations
Dukeshener, James
Nebraska Rural Electric Association
Dulaney, Michael S.
Nebraska Council of School Administrators
Duncan, Drue
Pfizer Inc.
Dunkley, Andrew
Nebraska Farm Bureau Federation
Duren, Todd J.
Loup River Public Power District
Edson, Dean E.
Nebraska Association of Resources Districts
Edwards, Jon
Nowka & Edwards
Eickholt, Christopher/Spike
ACLU Nebraska
Nebraska Criminal Defense Attorneys Association
Ekeler, Jeremy
Nebraska Catholic Conference
Erickson, Julie S.
American Communications, Inc.
Ernst, Dan E.
Nebraska Council of School Administrators
Everett, Elizabeth
First Five Nebraska
Fairbairn, Kyle
Greater Nebraska Schools Association
Falk, W. Jarad
Charter Communications, Inc.
Faustman, Nicholas
Alzheimer's Association
Feagler, Mike
Nebraska Hospital Association
Feichtinger, Erin
Together Inc. of Metropolitan Omaha
Fellers, Ansley
Nebraska Grocery Industry Association  
SHAZAM  
Ferrell, Beth Bazyn  
Nebraska Association of County Officials  
Ferris, Jay  
Nebraska Farm Bureau Federation  
Feser, Adam  
First Five Nebraska  
Feuerborn, Jordan  
Merck Sharp and Dohme Corp.  
Ficke, Melissa  
Catalyst Public Affairs  
Forbes, Meagan  
Institute for Justice  
Forrest, Sarah  
Nebraska Alliance of Child Advocacy Centers  
Fox, Nicole  
Platte Institute for Economic Research  
Fraizer, Theodore D. (Tad)/Fraizer & Fraizer  
Mutual of Omaha  
Fry, Renee  
OpenSky Policy Institute  
Garcia, Lauren  
American Federation for Children  
Gay, Tim  
Catalyst Public Affairs  
Geis, Gavin Lawrence  
Common Cause National  
George, Dee D  
Novartis Services, Inc.  
Gerrard, Eric  
American Communications, Inc.  
City of Lincoln  
Gibson, Rachel  
League of Women Voters of Nebraska  
Gilbertson, Korby M.  
Radcliffe, Walter H. of Radcliffe Gilbertson & Brady  
Giles, Jo  
Women's Fund of Greater Omaha, Inc.  
Givens-Dunn, Taylor  
Voices for Children in Nebraska  
Godinez, Rosangela  
ACLU Nebraska  
Gokie, Mark T.  
Farmers Mutual of Nebraska  
Gould, John 'Jack’  
Common Cause Nebraska  
Grasz, Nate  
Nebraska Family Alliance
Grisham, Kent  
   Nebraska Trucking Association
Guinan, Trish  
   Nebraska State Education Association
Hale, Andy  
   Nebraska Hospital Association
Hallgren, Kathleen  
   Everytown for Gun Safety Action Fund
Hallman, J. Eric  
   Nebraska Independent Community Bankers
Hallstrom, Robert  
   Brandt, Horan, Hallstrom and Stilmock
Hansen, John K.  
   Nebraska Farmers Union
Hapgood, Wade  
   United Healthcare Services, Inc.
Harbeke, Dan  
   Google LLC and its Affiliates
Harner, Shannon R.  
   Nebraska Investment Finance Authority
Harris, Jasmine  
   RISE
Harris, Julie  
   Bike Walk Nebraska
Harvey, William F.  
   EHPV Lottery Services LLC aka Big Red Keno
   Vigilnet America LLC
Hassebrook, Kristen  
   Nebraska Chamber of Commerce & Industry
Hauge, Jacy  
   Nebraska Cattlemen, Inc.
Hayes, Jason W.  
   Nebraska State Education Association
Head, Craig J.  
   Nebraska Farm Bureau Federation
Heartland Strategy Group, LLC  
   Omaha Federation of Labor, AFL-CIO
   Omaha Professional Firefighters Association
   Sports Betting Alliance
   TransCanada
Hendrickson, Ashlee  
   Nebraska Health Care Association, Inc.
Higgins, Kersten  
   Mutual of Omaha
Higgins, Shirley  
   Nebraska Public Power District
Hilton, Felicia  
   North Central States Regional Council of Carpenters
Hilton, Mary
Nebraska Christian Home Educators Association
Hind, Wendy
Anthem, Inc. and Its Affiliates
Hladik, Johnathan
Center for Rural Affairs
Holmquist, David
AARP Nebraska
Honan, Scott
NioCorp
Howard, Sara
First Five Nebraska
Hrdlicka, Joseph
Genentech, Inc.
Hruza, Timothy
Mueller Robak, LLC
Hubly, Justin
Nebraska Association of Public Employees NAPE/AFSCME Local 61
Hunt, Robert
Molson Coors Beverage Company USA LLC
Hunter-Pirtle, Ann
Stand for Schools
Hunzeker, Jonathan C.
Nebraska State Education Association
Husch Blackwell LLP
Nebraska Chiropractic Physicians Association
Husch Blackwell Strategies
AHIP - America's Health Insurance Plans
Blue Cross and Blue Shield of Nebraska
Cameco Resources
Capitol Bridge, LLC
Cargill
City of Ralston
Fonner Park
Grand Island Chamber of Commerce
Great Plains Communications, Inc.
Hawkins Construction
JUUL Labs Inc.
Lindsay Corporation
Meta Platforms, Inc.
Monolith Materials
National Association of Insurance and Financial Advisors (NAIFA)
Nebraska Agri-Business Association
Nebraska Corn Growers Association
Nebraska Insurance Information Service
Nebraska State Athletic Trainers Association
Nucor Corporation
Paige Wireless
Papio Valley Preservation Association, Inc.
Prime Therapeutics, LLC
Renewable Fuels Nebraska
Schneider Electric
State Farm Insurance Companies
Syngenta
Turo
United States Travel Insurance Association (UStIA)
Waste Management, Inc.
yes. every. kid.
Idoux, John
Lumen
Jacobson, Mary
Nebraska Strategies
Jensen Rogert Associates, Inc.
  AgMed, LLC
  Altria Client Services LLC and its Affiliates
  American Massage Therapy Association, Nebraska Chapter
  Associated Builders and Contractors, Inc.
  AT&T, Inc.
  Eli Lilly and Company
  LeadingAge Nebraska
  Learning Community of Douglas and Sarpy Counties
  Molina Healthcare, Inc.
  Mosaic
  Nebraska Association of Nurse Anesthetists
  Nebraska Dental Hygienists' Association
  Nebraska Intellectual Disabilities Services Providers
  Nebraska Optometric Association
  Nebraska Podiatric Medical Association
  Ponca Tribe of Nebraska
  Radcliffe, Walter H. of Radcliffe Gilbertson & Brady
  Statewide Property Owners' Association
  Wine Institute
Jones, Christine
  Nebraska Children's Home Society
Juhnke, Alan R.
  Nebraska Pork Producers Association
Kay, Sara
  American Institute of Architects, Nebraska Chapter
  Nebraska County Attorneys Association
Keigher & Associates, LLC
  Central Nebraska Public Power and Irrigation
  Credit Management Services
  Iowa-Nebraska Equipment Dealers Association
  Molson Coors Beverage Company USA LLC
  Nebraska AirBoat Association
  Nebraska Auctioneers Association
  Nebraska Aviation Trade Association
  Nebraska Community College Association
  Nebraska Independent Auto Dealers Association
Nebraska Land Improvement Contractors Association
Professional Towers Association of Nebraska
Radcliffe, Walter H. of Radcliffe Gilbertson & Brady
Keigher, Timothy P.
Keigher & Associates, LLC
Nebraska Petroleum Marketers & Convenience Store Association
Kelley Governmental Relations, LLC
Metro Area Transit (O-Metro)
Kelley Plucker, LLC
Advantage Capital
American Society of Interior Designers
Anthem, Inc. and Its Affiliates
Bennington Public Schools
Buildertrend Solutions, Inc.
Cigar Association of America, Inc.
Community Alliance, Inc.
Community Lottery System, Inc. (Withdrawn 01/06/2022)
Creighton University
CVS Health
Douglas County, Nebraska
Eastern Nebraska Human Services Agency
EHPV Lottery Services LLC aka Big Red Keno
Elevator Industry Work Preservation Fund
Guardian Tax Partners
Johnson Brothers of Nebraska
Nebraska Cable Communications Association
Nebraska Coalition of Agricultural Manufacturers
Nebraska Collectors Association
Nebraska Cooperative Council
Nebraska Credit Union League
Nebraska School Activities Association
Nebraska State Lodge of the Fraternal Order of Police
Omaha Airport Authority
Omaha Police Officers Association
Sustainable Beef, LLC
Westside Community Schools
Kelley, Michael A.
Kelley Governmental Relations, LLC
Kelley Plucker, LLC
Kelley, Sean
Kelley Governmental Relations, LLC
Kelley Plucker, LLC
Kellman, Robert
Uber Technologies, Inc.
Kilgarin, Karen
Nebraska State Education Association
Kingery, Shannon L.
RAI Services Co. (Reynolds American Inc.)
Kissel Kohout ES Associates, LLC
Accel Entertainment, Inc.
Aksarben Equine, Inc.
Alliance Baseball Omaha LLC d/b/a Omaha Storm Chasers
Alliance Soccer Omaha LLC d/b/a Union Omaha
AmeriHealth Caritas
Associated Beverage Distributors of Nebraska
Autism Center of Nebraska
Burlington Northern Sante Fe (BNSF) Railway Company
Enbridge (U.S.) Inc. (Formerly Spectra Energy)
Exodus Movement, Inc.
Hands of Heartland
Lancaster County Board of Commissioners
Lumen
Mentor Nebraska
Metropolitan Area Planning Agency
Nebraska Association of Regional Administrators
Nebraska CASA Association
Nebraska Golf Alliance
Nebraska Hearing Society
Nebraska Medicine
Nebraska Municipal Power Pool
Nebraska Psychological Association
Nebraska Regional Officials Council
Ollie Webb Center, Inc.
Park’N Go of Nebraska, LLC
Professional Engineers Coalition
Railway Supply Institute
Ralston Public School District
United Cities of Sarpy County
Klingler, Timoree
   Nebraska Health Information Initiative, Inc.
Klute, Anne M. N.
   Associated Builders and Contractors, Inc.
Knoche, Connie
   OpenSky Policy Institute
Kohls, Ashley
   Nebraska Cattlemen, Inc.
Kohout, Joseph D.
   Kissel Kohout ES Associates, LLC
Kolterman, Jessica A.
   Lincoln Premium Poultry
Krannawitter, Brian
   American Heart Association
Kruse Company
   Nebraska Alliance for Family and Child Service Providers
Neilan Strategy Group
People United for Privacy
Philanthropy Roundtable
RAI Services Co. (Reynolds American Inc.)
Kubat, Rick  
Metropolitan Utilities District

Kuehn, John  
Sand Creek Strategy Group LLC  
Smart Approaches to Marijuana Nebraska

Lassen, Robert  
AARP Nebraska

Lautenbaugh, Scott  
Nebraska Vape Vendors Association  
Stride, Inc.

Levy, David C.  
Baird Holm LLP

Likes, Steven C.  
Nebraska Investment Finance Authority

Lindsay, John C.  
O'Hara Lindsay & Associates, Inc.

Loeffler, Michael T.  
Northern Natural Gas

Lofquist, Kraig  
Educational Service Unit Coordinating Council

Lombardi, Richard A.  
American Communications, Inc.

Loontjer, Pat  
Gambling with the Good Life

Lostroh, David L.  
Nebraska Christian Home Educators Association

Luebbe, Lori  
Nebraska Soybean Association

Luedtke, Joselyn  
Zulkoski Weber LLC

Luetkenhaus, Brandon  
Nebraska Credit Union League

Lyons, Courtney  
Coalition for a Strong Nebraska

Lyons, Liz  
Children's Hospital & Medical Center

MacDonald, Blair E.  
O'Hara Lindsay & Associates, Inc.

Mallett, Rochelle  
Husch Blackwell Strategies LLC

Mannmoser, Matthew  
National Association for Gun Rights

Mancuso, Aubrey  
Voices for Children in Nebraska

Martin, George E.  
Baird Holm LLP

Martin, Stephen  
We Support Agriculture

Martin, Susan L.
Nebraska State AFL-CIO
McBride, David S.
Nebraska Optometric Association
McClure, Jeanne
American Council of Engineering Companies/Nebraska
McClure, John C.
Nebraska Public Power District
McClymont, Pete
Nebraska Cattlemen, Inc.
McDonald, Edison
Arc of Nebraska, The
GC ReVOLT, LLC
McDonald, Vickie
Nebraska Association of Former State Legislators
McGowan, Kyle
Nebraska Council of School Administrators
McHargue, Mark
Nebraska Farm Bureau Federation
McIntosh, Ryan
Brandt, Horan, Hallstrom and Stilmock
McLaren, Jay
Medica
McNally, John
Nebraska Public Power District
McNally, Lynne
Nebraska Horsemen's Benevolent and Protective Association
Nebraska Propane Gas Association
Meckler, Mark
Convention of States Action
Mello, Heath
University of Nebraska
Melotz, Shawn
Papio Valley Preservation Association, Inc.
Mendoza, Mark
Pear Therapeutics (US), Inc.
Menzel, Elaine
Nebraska Association of County Officials
Meredith, Candace
Nebraska Association of County Officials
Meurrens, Bradley
Disability Rights Nebraska
Mikkelsen, Brian
Nebraska State Education Association
Mikolajczyk, Megan
Nebraska Civic Engagement Table
Miller, Brennen
Kissel Kohout ES Associates, LLC
Miner, Marion
Nebraska Catholic Conference
Mines, Mick
Husch Blackwell Strategies LLC
Moles, Jack
Nebraska Rural Community Schools Association
Moore, Travis
Lincoln Electric System
Moulton, MaryLee
League of Women Voters of Nebraska
Mueller Robak
American Express Travel Related Services, Inc.
AMUR Equipment Finance (Withdrawn 01/03/2022)
Associated General Contractors of America, Nebraska Chapter
Chief Industries, Inc.
Children and Family Coalition of Nebraska
COPIC Insurance Company
Duncan Aviation, Inc.
Eastern Nebraska Development Council
Fiserv
Google LLC and its Affiliates
Innocence Project, The
Integrated Life Choices
Iowa-Nebraska Rental Dealers Association
Jazz Pharmaceuticals, Inc. and its subsidiaries, including Greenwich Biosciences, Inc.
Lincoln Airport Authority
LKQ Corporation
Madonna Rehabilitation Hospital
Millard Public Schools
Millard Roofing and Gutter Company
NaphCare, Inc.
Nature Conservancy, The
Nebraska Academy of Eye Physicians and Surgeons
Nebraska Association of Airport Officials
Nebraska Association of Commercial Property Owners
Nebraska Council of School Administrators
Nebraska Court Reporters Association
Nebraska Dental Association
Nebraska District Court Judges Association
Nebraska Interactive
Nebraska Land Title Association
Nebraska Medical Association
Nebraska Methodist Health Systems
Nebraska Oncology Society
Nebraska Press Association
Nebraska Society of Anesthesiologist
Nebraska Society of Independent Accountants
Nebraska State Bar Association
Nebraska Winery and Grape Growers Association (NWGGA)
Old Republic International Corporation
Olsson
PayPal
Pharmaceutical Research and Manufacturers of America
POET
Smithfield Foods, Inc.
Stand for Schools
State Troopers Association of Nebraska, Inc.
Sugar Creek Capital
Uber Technologies, Inc.
Union Bank & Trust Company
Mueller, William J.
Mueller Robak, LLC
Mueting, Marcia
Nebraska Pharmacists Association
Mussack, Timothy
Center for Rural Affairs
Neal, John P.
Lincoln Public Schools
Nebraska Strategies
Amazon.com Services LLC
Bayer U.S. LLC
Consumer Data Industry Association
Keith County Area Development
Lancaster County Agricultural Society, Inc.
Mark Anthony Brands
Nebraska Licensed Beverage Association
U.S. Cellular
Neilan Strategy Group
Independent Insurance Agents of Nebraska
People United for Privacy
Philanthropy Roundtable
Tenaska
Wireless Infrastructure Association c/o MultiState Associates Inc.
Neilan, Jenn
Neilan Strategy Group
Neilan, Perre S.
Neilan Strategy Group
Neiles-Brasch, Megan
Omaha Public Schools
Nelson, Richard
Nebraska Rural Electric Association
Neville, Brennan S.
National Indemnity Company
Nielsen, Coleen J.
Husch Blackwell Strategies LLC
Nolan, James
Mutual of Omaha
Norby, Scott J.
Nebraska State Education Association
Nordquist, Jeremy
    Nebraska Hospital Association
Nowka & Edwards
    Adams Central Public Schools
    Anheuser-Busch Companies
    Bryan Health
    Deloitte Consulting LLP
    Elkhorn Public Schools
    Metropolitan Utilities District
    National Utility Contractors Association of Nebraska, Inc. (NUCA)
    Nebraska Academy of Family Physicians
    Nebraska Assn for Home Healthcare and Hospice
    Nebraska Association of Area Agencies on Aging
    Nebraska Association of County Officials
    Nebraska Cattlemen, Inc.
    Nebraska Funeral Directors Association
    Nebraska Pork Producers Association
    Nebraska Poultry Industries, Inc.
    Nebraska Public Media Foundation
    Nebraska Public Power District
    Nebraska Rural Community Schools Association
    Nebraska Sheriffs’ Association
    Nebraska Society of Radiologic Technologists
    Nebraska State College System
    Nebraska State Dairy Association
    Nebraska Water Coalition
    Rural Telecommunications Coalition of Nebraska
    Southern Public Power District
    The Repair Association
    Union Pacific Railroad
    US Assets, LLC
    Winners Marketing, Inc.
O’Brien, Kelli Erin
    Union Pacific Railroad
O’Hara Lindsay & Associates, Inc.
    All American Games LLC
    Alliance for Automotive Innovation
    Alter Trading Corporation
    Black Hills Energy
    Center Pivot Manufacturers Association
    City of Hastings
    City of Lexington
    Council of Independent Nebraska Colleges
    First National of Nebraska, Inc.
    Francis Energy
    Greater Nebraska Cities
    Institute of Scrap Recycling Industries, Upper Mid-West Chapter
    Motorola Solutions, Inc.
National Association of Housing and Redevelopment Officials, Nebraska
Chapter
Nebraska Association of Independent Ambulatory Centers
Nebraska Association of Trial Attorneys
Nebraska Beverage Association
Nebraska County Judges Association
Nebraska Nurses Association
Nebraska Rural Broadband Coalition
Nebraska State Electrical Division
Nebraskans for Rate Equity
Northern Natural Gas
Omaha Public Power District
Omaha Public Schools
Tallgrass Energy
Winnebago Tribe of Nebraska
Omey, Samantha
Exxon Mobil Corporation
Orton, Leroy W.
Nebraska Onsite Waste Water Association
Nebraska State Irrigation Association
Nebraska Well Drillers Association
Othmer, Mark F.
Iowa-Nebraska Equipment Dealers Association
Otto, James A.
Nebraska Hospitality Association
Nebraska Retail Federation
Otto, Richard J.
Nebraska Grocery Industry Association
Nebraska Hospitality Association
Nebraska Retail Federation
Owen, Rob
Bio Nebraska
Pack, Mary M.
Radcliffe, Walter H. of Radcliffe Gilbertson & Brady
Parr, Ann L.
Farmers Mutual of Nebraska
Peetz & Company
Advocates for Behavioral Health
CHI Health
Children's Hospital & Medical Center
College Parent, L.P. dba Yahoo
Community Lottery System, Inc.
Cox Communications
Durham Museum
First Five Nebraska
Friends of Knox County
Friends of Nebraska Tech Collaborative
Kiewit Corporation
Metropolitan Entertainment & Convention Authority
Microsoft Corporation
Nebraska Nurse Practitioners
Nebraska Trucking Association
Omaha Zoological Society
Quality Living, Inc.
Tenaska
University of Nebraska
Peetz, Jack
Peetz & Company
Peetz, Natalie
Peetz & Company
Pellett, Stacey
Deere & Company
Peterson, Chris
CP Strategies LLC
Peterson, Patricia Schuett
Nebraska Investment Finance Authority
Petsch, Jean
Associated General Contractors - Nebraska Building Chapter
Pfeifer, Pat
Nebraska State Legislative Board - Brotherhood of Locomotive Engineers and Trainmen
Pitts, Kathleen
Nebraska Appleseed
Plucker, Julia
Kelley Plucker, LLC
Plumadore, Genevieve
Bristol Myers Squibb Co.
Pollock, Andy
Rembolt Ludtke, LLP
Ponce, Laurie
Coalition for a Strong Nebraska
Potter, Cara E.
Medica
Potter, Tim
AARP Nebraska
Prem, Sara
American Lung Association
Prokop, Matthew
American Cancer Society Cancer Action Network
Radcliffe, Walter H. of Radcliffe Gilbertson & Brady
Altria Client Services LLC and its Affiliates
American Institute of Architects, Nebraska Chapter
American Property Casualty Insurance Association (APCIA)
Apple Inc.
Bellevue Public Schools
Community Resources for Justice, Inc.
Enterprise Rent-A-Car
Farm Credit Services of America
Father Flanagan's Boys' Home
Friends of Nebraska Parks
HBAL/MOBA Coalition
Ho-Chunk, Inc.
Housing Policy Network
League of Nebraska Municipalities
Lincoln Public Schools
Live On Nebraska
Media of Nebraska, Inc.
Medica
Metropolitan Community College
Motion Picture Association, Inc.
Nebraska Association of Health Underwriters (NAHU)
Nebraska Broadcasters Association
Nebraska Cable Communications Association
Nebraska Cultural Endowment
Nebraska Health Care Association, Inc.
Nebraska Horsemen's Benevolent and Protective Association
Nebraska Liquor Wholesalers
Nebraska New Car & Truck Dealers Association
Nebraska Optometric Association
Nebraska Psychiatric Society
Nebraska Realtors Association
Nebraska Society of Certified Public Accountants
Nebraska State Cemetery Association
Nebraska State Fair Board
Nebraska Telecommunications Association
Orsted
Pinnacle Bank
Speedway Motors, Inc.
Tyson Foods, Inc.
War Horse Gaming, LLC
Woodmen of the World Life Insurance Society and Subordinate Entities
Ragland, Jina
AARP Nebraska
Reece, Kaitlin
Catalyst Public Affairs
Rembolt Ludtke, LLP
American Society of Composers, Authors & Publishers
Nebraska Defense Counsel Association
Nebraska Library Association
Nebraska Rural Broadband Alliance
Nebraska Transportation Association
Nebraska Travel Association (NETA)
NorthWestern Energy
United Healthcare Services, Inc.
Waste Connections of Nebraska, Inc.
Rempe, Jay E.
Nebraska Farm Bureau Federation
Rex, L. Lynn
    League of Nebraska Municipalities
Reynolds, Margaret
    Cigna Corporate Services LLC
Reynoldson, Amy
    Nebraska Medical Association
Richters, Rebecca S.
    ACLU Nebraska
Rieker, Bruce R.
    Nebraska Farm Bureau Federation
Riley, Christopher T.
    Archer Daniels Midland Company
Rippe, David
    NetChoice
Rips, Sara
    ACLU Nebraska
Robak, Kim M.
    Mueller Robak, LLC
Roberts, Laurie
    Innocence Project, The
Robertson, Rob J.
    Nebraska Farm Bureau Federation
Rockenbach, Tina
    Community Action of Nebraska
Rogert, Kent
    Jensen Rogert Associates, Inc.
Roth, Anne
    Hy-Vee
Rubin, Barry R.
    Heartland Strategy Group, LLC
Russell, Jack
    Lincoln Independent Business Association (LIBA)
Sahling-Zart, Shelley R.
    Lincoln Electric System
Sand Creek Strategy Group LLC
    Caesars Enterprise Services, LLC
Schaefer, Matthew T.
    Mueller Robak, LLC
Schilz, Kenneth
    Nebraska Strategies
Schmeling, Richard
    ProRail Nebraska, Inc.
Schneider, David
    Convention of States Action
Schrodt, Dexter
Nebraska Medical Association
Scott, Randi K.
O’Hara Lindsay & Associates, Inc.
Seaward, Ashley
PeopleForBikes Coalition
Sedlacek, Ronald J.
Husch Blackwell LLP
Husch Blackwell Strategies LLC
Nebraska Chamber of Commerce & Industry
Seelhoff, Janet
National Utility Contractors Association of Nebraska, Inc. (NUCA)
Nebraska Assn for Home Healthcare and Hospice
Nebraska Optometric Association
Seu, Jane
ACLU Nebraska
Shelburn, Jessica
Americans for Prosperity
Silke, Vanessa
Baird Holm LLP
Slattery, David
Nebraska Hospital Association
Slone, Bryan
Nebraska Chamber of Commerce & Industry
Sommer, Alex
Prime Therapeutics, LLC
Spady, Robin
Nebraska Municipal Power Pool
Spatz, John
Nebraska Association of School Boards
Spivey, Ashlei
1 Be Black Girl
Stilmock, Gerald M.
Brandt, Horan, Hallstrom and Stilmock
Storer, Braden
FOP 88
Stubbendieck, Todd
AARP Nebraska
Sullivan, J. Scott
Nebraska Credit Union League
Sundquist, Joni
Nebraska Society of Certified Public Accountants
Swatsworth, Abby
Outline
Synhorst, Bud
Lincoln Independent Business Association (LIBA)
Szabo, Carl
NetChoice
Tang, Cathy
Everytown for Gun Safety Action Fund
Thielen, Nicholas
   EHPV Lottery Services LLC aka Big Red Keno
   Vigilnet America LLC
Thompson, Brian
   Consolidated Companies, Inc.
Todd, A. Loy, Jr.
   Nebraska New Car & Truck Dealers Association
Torpy, Katie
   Nature Conservancy, The
Trevino Jr., Fernando
   Lyft, Inc.
Trocsinski, Carol A.
   United Healthcare Services, Inc.
Troyer, Adria
   Google LLC and its Affiliates
TU, NATALIA
   Women's Fund of Greater Omaha, Inc.
Vaughan, Dustin
   Husch Blackwell Strategies LLC
Venzor, Tom
   Nebraska Catholic Conference
Vinton, Andrew
   ALLO Communications
Voyles, Seth
   Omaha Public Power District
Wagner, Chris
   Project Extra Mile
Wang, Jennifer Rae
   Cox Communications
Watson, James S.
   Nebraska Association of Medicaid Health Plans
Weber, Michelle
   Zulkoski Weber LLC
Weber, Rocky
   Nebraska Cooperative Council
Welding, Nicholas J.
   Nebraska State Education Association
Wesely, Don
   O'Hara Lindsay & Associates, Inc.
Westerhold, Russell
   Nowka & Edwards
Wickersham, William R.
   Nebraska Association of Former State Legislators
Wickman-Byrd, Barbara J.
   Nebraska State Home Builders Association
Wightman, Anna Castner
   First National of Nebraska, Inc.
Wiltgen, Jennifer
   Centene Corporation on behalf of its affiliates and subsidiaries
Wininger, Dwight
   ALLO Communications
Winston, Kenneth C.
   Bold Alliance, Inc.
Wittstruck, Courtney
   Nebraska Community College Association
Woeppel, Ed
   Nebraska Cooperative Council
Word, Megan
   American Cancer Society Cancer Action Network
Wurster, Donald F.
   National Indemnity Company
Yates, Leighton
   Alliance for Automotive Innovation
Young, Hannah
   Nonprofit Association of the Midlands
Zadina, Nick
   Women's Fund of Greater Omaha, Inc.
Zulkoski Weber LLC
   Archer Daniels Midland Company
   Cedars Youth Services
   CNH Industrial America LLC c/o MultiState Associates
   Consortia Consulting
   Deere & Company
   Dexcom, Inc.
   Ducks Unlimited, Inc.
   Kum & Go
   McCain Foods
   Merck Sharp and Dohme Corp.
   Nebraska Academy of Nutrition and Dietetics
   Nebraska Academy of Physician Assistants
   Nebraska Association of Resources Districts
   Nebraska Broadband Coalition
   Nebraska County Attorneys Association
   Nebraska Domestic Violence Sexual Assault Coalition
   Nebraska Economic Developers Association
   Nebraska Emergency Medical Services Association
   Nebraska Hospital Association
   Nebraska Humane Society
   Nebraska Independent Community Bankers
   Nebraska Veterinary Medical Association
   Novo Nordisk Inc.
   Viaero Wireless
   Women's Fund of Greater Omaha, Inc.
Zulkoski, Katie W.
   Zulkoski Weber LLC
REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Bazata, Claire C. - Nebraska Child Abuse Prevention Fund Board - Health and Human Services
Cone, Terry L. - Nebraska Brand Committee - Agriculture
Hansen, Gerald Randall (Rand) - Crime Victim's Reparations Committee - Judiciary
Jensen, Jerry Lee - State Personnel Board - Government, Military and Veterans Affairs
McPheeters, Scott B. - Nebraska Ethanol Board - Natural Resources
Nelson, Taylor D. - Nebraska Ethanol Board - Natural Resources
Portis, Ervin L. - Climate Assessment Response Committee - Agriculture
Wiener, Richard L. - Foster Care Advisory Committee - Health and Human Services
Williams, Peggy A. - Commission for the Deaf and Hard of Hearing - Health and Human Services

(Signed) Dan Hughes, Chairperson
Executive Board

BILLS ON FIRST READING

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

LEGISLATIVE BILL 907. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to community property; to amend section 24-517, Revised Statutes Cumulative Supplement, 2020; to adopt the Uniform Community Property Disposition at Death Act; to change provisions relating to court jurisdiction; to provide severability; and to repeal the original section.

LEGISLATIVE BILL 908. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend section 84-1411, Revised Statutes Supplement, 2021; to provide additional requirements for virtual conferencing; and to repeal the original section.

LEGISLATIVE BILL 909. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to mental health; to amend sections 71-901, 71-919, 71-921, 71-922, 71-949, 71-1205, and 71-1206, Reissue Revised Statutes of Nebraska; to authorize mental health professionals and licensed independent mental health practitioners to take persons into emergency protective custody as prescribed; to provide a certification process and duties for the Department of Health and Human Services; to change provisions relating to commencement of mental health board proceedings;
to define a term; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 910.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to state government; to adopt the Nebraska Volunteer Service Commission Act; to provide an operative date; and to declare an emergency.

**LEGISLATIVE BILL 911.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the 211 Information and Referral Network; to amend section 75-1101, Revised Statutes Cumulative Supplement, 2020; to change the amount of the grant to be awarded; and to repeal the original section.

**LEGISLATIVE BILL 912.** Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to education; to amend section 79-1054, Revised Statutes Cumulative Supplement, 2020, and section 9-812, Revised Statutes Supplement, 2021; to provide for mental health first aid training; to change provisions relating to the use of lottery funds; to change provisions relating to innovation grants as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 913.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to highways; to amend section 39-1337, Reissue Revised Statutes of Nebraska, and sections 39-1302 and 39-1320, Revised Statutes Cumulative Supplement, 2020; to define terms; to change provisions relating to highways and roads; to provide duties; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 914.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to the Public Service Commission; to define terms; to require the commission to create and maintain a location fabric broadband access map and broadband data repository as prescribed; to require compliance by certain entities; to provide for annual reporting; and to declare an emergency.

**LEGISLATIVE BILL 915.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Middle Income Workforce Housing Investment Act; to amend section 81-1238, Revised Statutes Cumulative Supplement, 2020; to provide a requirement for grant eligibility; and to repeal the original section.
GENERAL FILE


Senator Morfeld offered the following amendment:

AM1545

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

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 916. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to municipalities; to amend section 86-594,
Revised Statutes Supplement, 2021; to adopt the Rural Municipal
Broadband Access Act; to harmonize provisions; to provide a duty for the
Revisor of Statutes; and to repeal the original section.

LEGISLATIVE BILL 917. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to revenue and taxation; to amend section
77-2716, Revised Statutes Supplement, 2021; to provide an income tax
deduction for certain wages paid to individuals convicted of a felony; and to
repeal the original section.

LEGISLATIVE BILL 918. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections
28-504, 28-514, 28-518, 28-519, 28-603, 28-604, 28-611.01, 28-620,
28-631, 28-638, 28-639, 28-1102, 28-1344, 28-1345, 45-191.03, 66-727,
68-1017, 68-1017.01, 71-2228, and 71-2229, Reissue Revised Statutes of
Nebraska, and sections 9-262, 9-352, 9-434, 9-652, 23-135.01, 28-611,
28-1354, 29-110, and 29-119, Revised Statutes Cumulative Supplement,
2020; to change dollar amount thresholds for criminal penalties for certain
offenses; to redefine terms; to provide for applicability of changes; to
harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 919. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to the Sports Arena Facility Financing
Assistance Act; to amend section 13-3102, Revised Statutes Supplement,
2021; to redefine terms; and to repeal the original section.
LEGISLATIVE BILL 920. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to criminal justice; to amend sections 24-1302, 28-116, 28-507, 28-518, 29-2204.02, 29-2221, 29-2263, 29-2269, 29-2281, 29-3603, 47-706, 50-434, 71-5661, 71-5662, 71-5663, 71-5665, 71-5666, 71-5668, 71-5669.01, and 83-1,110, Reissue Revised Statutes of Nebraska, and sections 28-101, 28-105, 28-416, 28-1351, 28-1354, 29-2204, 83-1,100.02, 83-1,111, 83-1,114, 83-1,135, and 83-1,135.02, Revised Statutes Cumulative Supplement, 2020; to change provisions regarding problem solving courts, mandatory minimums, penalties and provisions relating to controlled substances, theft, and burglary, sentencing, set asides, restitution, pretrial diversion, and parole; to provide for applicability; to state legislative intent regarding appropriations; to create pilot programs relating to courts, probation, and parole; to create the Justice Reinvestment Oversight Task Force; to terminate the Committee on Justice Reinvestment Oversight; to provide for parole for geriatric offenders; to define terms; to provide duties for courts, the probation administrator, the Board of Parole, the Division of Parole Supervision, the State Court Administrator, the Department of Health and Human Services, and the Department of Correctional Services; to provide for additional benefits under the Rural Health Systems and Professional Incentive Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 921. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-106, Reissue Revised Statutes of Nebraska, and section 28-105, Revised Statutes Cumulative Supplement, 2020; to change where certain sentences of imprisonment are served; and to repeal the original sections.

LEGISLATIVE BILL 922. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to courts; to amend section 24-301.02, Revised Statutes Cumulative Supplement, 2020; to increase the number of district judges in the fourth judicial district; and to repeal the original section.

LEGISLATIVE BILL 923. Introduced by Cavanaugh, J., 9; Blood, 3; Lathrop, 12.

A BILL FOR AN ACT relating to the Nebraska County and City Lottery Act; to amend sections 9-607, 9-646.01, and 9-651, Reissue Revised Statutes of Nebraska, and sections 9-601 and 9-603, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the game of keno; to provide for the sale of digital-on-premises tickets; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 924. Introduced by Brewer, 43.
A BILL FOR AN ACT relating to the Waste Reduction and Recycling Incentive Act; to amend section 81-15,160, Revised Statutes Cumulative Supplement, 2020; to include cities of the first class as grant recipients for certain reimbursement costs; and to repeal the original section.

LEGISLATIVE BILL 925. Introduced by Gragert, 40; Brandt, 32; Cavanaugh, J., 9; Dorn, 30; Pansing Brooks, 28.

A BILL FOR AN ACT relating to the Department of Natural Resources; to adopt the Resilient Soils and Water Quality Act; and to state legislative intent for appropriations.

LEGISLATIVE BILL 926. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Supplement, 2021; to provide an income tax credit for rent paid on dwellings; and to repeal the original section.

LEGISLATIVE BILL 927. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to the Convention Center Facility Financing Assistance Act; to amend sections 13-2603 and 13-2604, Revised Statutes Cumulative Supplement, 2020, and section 13-2610, Revised Statutes Supplement, 2021; to define and redefine terms; to change provisions relating to the use of state assistance; to change a limitation on the total amount of state assistance allowed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 928. Introduced by Sanders, 45.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1401, Reissue Revised Statutes of Nebraska; to provide for closed captioning or transcripts of certain campaign advertisements as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 929. Introduced by Wishart, 27; Aguilar, 35; Blood, 3; Bostar, 29; Cavanaugh, J., 9; Cavanaugh, M., 6; Day, 49; DeBoer, 10; Dorn, 30; Gragert, 40; Hansen, M., 26; Hilkemann, 4; Hunt, 8; Kolterman, 24; Linehan, 39; McCollister, 20; McDonnell, 5; McKinney, 11; Pahls, 31; Pansing Brooks, 28; Stinner, 48; Walz, 15; Wayne, 13.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-911, Reissue Revised Statutes of Nebraska; to require the submission of a state plan amendment to extend postpartum coverage; and to repeal the original section.

LEGISLATIVE BILL 930. Introduced by Hunt, 8.
A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1446.03, Reissue Revised Statutes of Nebraska; to authorize certain committee expenditures; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 931. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to the Employment Security Law; to amend sections 48-602 and 48-628.02, Reissue Revised Statutes of Nebraska; to redefine a term; to change provisions relating to disqualification for benefits; and to repeal the original sections.

LEGISLATIVE BILL 932. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to state wards; to amend section 43-907, Reissue Revised Statutes of Nebraska; to authorize the Department of Health and Human Services to screen children for social security benefit eligibility; and to repeal the original section.

LEGISLATIVE BILL 933. Introduced by Albrecht, 17; Flood, 19.

A BILL FOR AN ACT relating to abortion; to amend sections 28-101 and 38-2021, Revised Statutes Cumulative Supplement, 2020; to adopt the Nebraska Human Life Protection Act; to provide a penalty; to provide for severability of provisions as prescribed; to redefine unprofessional conduct; to harmonize provisions; and to repeal the original sections.

AMENDMENT(S) - Print in Journal

Senator Hunt filed the following amendment to LB781:

AM1534

1 1. Strike original section 6 and insert the following new section:
2 Sec. 6. It shall not be a violation of the Heartbeat Act if the
3 abortion is sought to terminate a pregnancy which resulted from sexual
4 assault or perpetration of incest on the person seeking abortion care.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 272CA. Introduced by Pahls, 31.

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

Section 1. At the general election in November 2022, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VIII, section 1:

VIII-1 The necessary revenue of the state and its governmental subdivisions shall be raised by taxation in such manner as the Legislature may direct. Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 4, of this Constitution or any other provision of this
Constitution to the contrary: (1) Taxes shall be levied by valuation uniformly and proportionately upon all real property and franchises as defined by the Legislature except as otherwise provided in or permitted by this Constitution; (2) tangible personal property, as defined by the Legislature, not exempted by this Constitution or by legislation, shall all be taxed at depreciated cost using the same depreciation method with reasonable class lives, as determined by the Legislature, or shall all be taxed by valuation uniformly and proportionately; (3) the Legislature may provide for a different method of taxing motor vehicles and may also establish a separate class of motor vehicles consisting of those owned and held for resale by motor vehicle dealers which shall be taxed in the manner and to the extent provided by the Legislature and may also establish a separate class for trucks, trailers, semitrailers, truck-tractors, or combinations thereof, consisting of those owned by residents and nonresidents of this state, and operating in interstate commerce, and may provide reciprocal and proportionate taxation of such vehicles. The tax proceeds from motor vehicles taxed in each county shall be allocated to the county and the cities, villages, and school districts of such county; (4) the Legislature may provide that agricultural land and horticultural land, as defined by the Legislature, shall constitute a separate and distinct class of property for purposes of taxation and may provide for a different method of taxing agricultural land and horticultural land which results in values that are not uniform and proportionate with all other real property and franchises but which results in values that are uniform and proportionate upon all property within the class of agricultural land and horticultural land; (5) the Legislature may enact laws to provide that the value of land actively devoted to agricultural or horticultural use shall for property tax purposes be that value which such land has for agricultural or horticultural use without regard to any value which such land might have for other purposes or uses; (6) the Legislature may prescribe standards and methods for the determination of the value of real property at uniform and proportionate values; (7) in furtherance of the purposes for which such a law of the United States has been adopted, whenever there exists a law of the United States which is intended to protect a specifically designated type, use, user, or owner of property or franchise from discriminatory state or local taxation, such property or franchise shall constitute a separate class of property or franchise under the laws of the State of Nebraska, and such property or franchise may not be taken into consideration in determining whether taxes are levied by valuation uniformly or proportionately upon any property or franchise, and the Legislature may enact laws which statutorily recognize such class and which tax or exempt from taxation such class of property or franchise in such manner as it determines; and (8) the Legislature may provide that livestock shall constitute a separate and distinct class of property for purposes of taxation and may further provide for reciprocal and proportionate taxation of livestock located in this state for only part of a year; and (9) the Legislature may provide that residential real property, as defined by the Legislature, shall constitute a separate and distinct class of property for purposes of taxation and may provide for a different method of taxing residential real property which results in values that are not uniform
and proportionate with all other real property and franchises but which results in values that are uniform and proportionate upon all property within the class of residential real property. Each actual property tax rate levied for a governmental subdivision shall be the same for all classes of taxed property and franchises. Taxes uniform as to class of property or the ownership or use thereof may be levied by valuation or otherwise upon classes of intangible property as the Legislature may determine, and such intangible property held in trust or otherwise for the purpose of funding pension, profit-sharing, or other employee benefit plans as defined by the Legislature may be declared exempt from taxation. Taxes other than property taxes may be authorized by law. Existing revenue laws shall continue in effect until changed by the Legislature.

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

A constitutional amendment authorizing the Legislature to treat residential real property as a separate and distinct class for purposes of taxation and to provide for a different method of taxing residential real property which results in values that are not uniform and proportionate with all other real property.

For
Against.

LEGISLATIVE RESOLUTION 273. Introduced by Day, 49.

WHEREAS, the Gretna High School football team defeated Omaha Westside 7-3 to win the Class A state championship game on November 23, 2021, at Memorial Stadium; and
WHEREAS, the game marked the first appearance of Gretna High School in a state championship football game; and
WHEREAS, the Gretna High School football team had 352 total yards in the game and limited their opponent to 273 total yards; and
WHEREAS, the Gretna High School football team ended the season with twelve wins total and only one loss; and
WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature congratulates Gretna High School for winning the 2021 Class A State Football Championship.
2. That a copy of this resolution be sent to Mike Kayl, the head coach of the Gretna High School football team.

Laid over.
VISITOR(S)

Visitors to the Chamber were members of the Convention of States Nebraska from across the state.

RECESS

At 11:59 a.m., on a motion by Senator DeBoer, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Foley presiding.

ROLL CALL

The roll was called and all members were present except Senator Blood who was excused; and Senators Bostar, Bostelman, Flood, Groene, B. Hansen, Hilkemann, McCollister, Vargas, and Williams who were excused until they arrive.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

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LB905  Health and Human Services
LB906  Health and Human Services
LR271  Government, Military and Veterans Affairs

Berggren, Patrick L. - Nebraska Game and Parks Commission - Natural Resources
Cassels, Scott L. - Nebraska Game and Parks Commission - Natural Resources
Greene, Michael A. - Nebraska Rural Health Advisory Commission - Health and Human Services
Harrison, Jeffrey D. - Nebraska Rural Health Advisory Commission - Health and Human Services
Headrick, Dennis A. - Coordinating Commission for Postsecondary Education - Education
Hunt, Cherlyn - Nebraska Rural Health Advisory Commission - Health and Human Services
Juelfs, Dallen R. - Nebraska Oil and Gas Conservation Commission - Natural Resources
Livingston, Cheryl - Commission for the Blind and Visually Impaired - Health and Human Services
Mentink, Linda - Commission for the Blind and Visually Impaired - Health and Human Services
Schroeder, Rebecca A. - Nebraska Rural Health Advisory Commission - Health and Human Services
Strommen, Paul E. - Nebraska Oil and Gas Conservation Commission - Natural Resources
BILLS ON FIRST READING

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

LEGISLATIVE BILL 934. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend sections 60-399 and 60-3,164, Reissue Revised Statutes of Nebraska; to make certain license plate and validation decal provisions secondary violations; to change penalties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 935. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to counties; to amend section 23-192, Reissue Revised Statutes of Nebraska, and section 23-187, Revised Statutes Cumulative Supplement, 2020; to adopt the County Minimum Wage Option Act; to change provisions relating to county ordinances; and to repeal the original sections.

LEGISLATIVE BILL 936. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2733, Reissue Revised Statutes of Nebraska; to change provisions relating to the taxation of nonresident income; and to repeal the original section.

MOTION(S) - Print in Journal

Senator Hunt filed the following motion to LB933:

MO116
Indefinitely postpone.

NOTICE OF COMMITTEE HEARING(S)

Urban Affairs
Room 1510 1:30 PM

Tuesday, January 18, 2022
LB820
LB724
(Signed) Justin Wayne, Chairperson

GENERAL FILE

LEGISLATIVE RESOLUTION 14. The Morfeld amendment, AM1545, found in this day's Journal, was renewed.

Senator Morfeld moved for a call of the house. The motion prevailed with 16 ayes, 5 nays, and 28 not voting.

Senator Morfeld requested a roll call vote, in reverse order, on his amendment.

Voting in the affirmative, 12:

Bostar Hansen, M. McCollister Pansing Brooks
Cavanaugh, M. Hunt McKinney Walz
Day Lathrop Morfeld Wayne

Voting in the negative, 22:

Arch Erdman Halloran Linehan Stinner
Bostelman Friesen Hansen, B. McDonnell Williams
Brewer Geist Hilkemann Murman
Clements Gragert Hughes Sanders
Dorn Groene Kolterman Slama

Present and not voting, 11:

Aguilar Cavanaugh, J. Lindstrom Pahls
Albrecht DeBoer Lowe Wishart
Brandt Hilgers Lowe Wishart

Excused and not voting, 4:

Blood Briese Flood Vargas

The Morfeld amendment lost with 12 ayes, 22 nays, 11 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Pending.
BILLS ON FIRST READING

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

LEGISLATIVE BILL 937. Introduced by Geist, 25.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Legislative Council for economic modeling software; and to declare an emergency.

LEGISLATIVE BILL 938. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to income taxes; to amend section 77-2734.02, Revised Statutes Supplement, 2021; to change corporate income tax rates as prescribed; to eliminate provisions relating to legislative intent; and to repeal the original section.

LEGISLATIVE BILL 939. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.03, Reissue Revised Statutes of Nebraska; to change individual income tax rates as prescribed; and to repeal the original section.


A BILL FOR AN ACT relating to appropriations; to appropriate federal funds for housing; and to declare an emergency.

LEGISLATIVE BILL 941. Introduced by Slama, 1.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.36, Revised Statutes Supplement, 2021; to provide a sales and use tax exemption for net wrap as prescribed; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 942. Introduced by Slama, 1.

A BILL FOR AN ACT relating to law enforcement; to amend sections 29-2264, 81-1401, 81-1403, 81-1414, 81-1414.13, 81-1438, 81-1439, 81-1440, and 81-1443, Revised Statutes Supplement, 2021, and section 81-1412, Reissue Revised Statutes of Nebraska; to define terms; to provide for notice of expiration of certification as a qualified firearm instructor; to change powers, duties, and training requirements of noncertified conditional officers and reserve officers; to eliminate provisions relating to a reciprocity program; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 943. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to insurance; to prohibit certain provisions
in a health plan in relation to clinician-administered drugs; and to define a term.

**LEGISLATIVE BILL 944.** Introduced by McCollister, 20.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701.02, Reissue Revised Statutes of Nebraska; to change the sales tax rate imposed on the furnishing of electricity service; and to repeal the original section.

**LEGISLATIVE BILL 945.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to teachers; to amend section 77-2716, Revised Statutes Supplement, 2021; to adopt the Teach in Nebraska Today Act; to provide for student loan repayment assistance; to provide an income tax deduction as prescribed; to appropriate funds to aid in carrying out the provisions of this legislative bill; and to repeal the original section.

**GENERAL FILE**

**LEGISLATIVE RESOLUTION 14.** Senator M. Hansen offered the following amendment:

AM1538

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

Senator M. Hansen withdrew his amendment.

Senator Hunt offered the following amendment:

AM1550

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

Senator Hunt withdrew her amendment.

**SPEAKER HILGERS PRESIDING**

**PRESIDENT FOLEY PRESIDING**

Senator Halloran moved for a call of the house. The motion prevailed with 32 ayes, 1 nay, and 16 not voting.

Senator Halloran requested a roll call vote on the advancement of the resolution.
Voting in the affirmative, 32:

<table>
<thead>
<tr>
<th>Arch</th>
<th>Dorn</th>
<th>Halloran</th>
<th>Lowe</th>
<th>Stinner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bostar</td>
<td>Erdman</td>
<td>Hansen, B.</td>
<td>McDonnell</td>
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<td>Bostelman</td>
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<td>Hilgers</td>
<td>Moser</td>
<td>Williams</td>
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<td>Brandt</td>
<td>Friesen</td>
<td>Hilkemann</td>
<td>Murman</td>
<td>Wishart</td>
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<td>Brewer</td>
<td>Geist</td>
<td>Kolterman</td>
<td>Pahls</td>
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<tr>
<td>Briese</td>
<td>Gragert</td>
<td>Lindstrom</td>
<td>Sanders</td>
<td></td>
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<tr>
<td>Clements</td>
<td>Groene</td>
<td>Linehan</td>
<td>Slama</td>
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</table>

Voting in the negative, 10:

<table>
<thead>
<tr>
<th>Albrecht</th>
<th>Hansen, M.</th>
<th>Lathrop</th>
<th>McKinney</th>
<th>Pansing</th>
<th>Brooks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Day</td>
<td>Hunt</td>
<td>McCollister</td>
<td>Morfeld</td>
<td>Walz</td>
<td></td>
</tr>
</tbody>
</table>

Present and not voting, 4:

| Aguilar | Cavanaugh, J. | Cavanaugh, M. | Hughes | |
|---------|----------------|----------------|--------||

Excused and not voting, 3:

| Blood | DeBoer | Vargas | |
|-------|--------|--------||

Advanced to Enrollment and Review Initial with 32 ayes, 10 nays, 4 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 946.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to juveniles; to prohibit the prescription of off-label medications.

**LEGISLATIVE BILL 947.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to child support; to amend sections 30-3420, 42-347, 42-348, 42-349, 42-350, 42-351, 42-352, 42-353, 42-357, 42-360, 42-362, 42-370, 42-371, 42-371.01, 42-373, 42-702, 42-734, 42-740, 42-821, 43-512.03, and 43-513.01, Reissue Revised Statutes of Nebraska, and sections 25-2740, 42-377, and 43-2.113, Revised Statutes Cumulative Supplement, 2020; to end child support payments upon the death of a custodial parent; to define a term; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 948.** Introduced by Wayne, 13.
A BILL FOR AN ACT relating to insurance; to require insurers in this state to provide certain liability coverage limits to injured parties; to provide a penalty; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 949. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1701, Reissue Revised Statutes of Nebraska; to change provisions relating to tax statements; and to repeal the original section.

LEGISLATIVE BILL 950. Introduced by DeBoer, 10; Sanders, 45; Wishart, 27.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the University of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 951. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to income taxes; to amend section 77-2715.07, Revised Statutes Supplement, 2021; to increase the earned income tax credit as prescribed; and to repeal the original section.

LEGISLATIVE BILL 952. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the medical assistance program; to amend section 47-706, Reissue Revised Statutes of Nebraska; to provide enrollment for the medical assistance program to inmates prior to release from incarceration; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 953. Introduced by Cavanaugh, J., 9; Gragert, 40; Hughes, 44.

A BILL FOR AN ACT relating to the State Fire Marshal; to amend sections 81-520.01 and 81-520.03, Reissue Revised Statutes of Nebraska; to change open burning permit provisions; to redefine a term; to provide limitations on liability and nuisance relating to land-management burning; and to repeal the original sections.

LEGISLATIVE BILL 954. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Nebraska Clean Indoor Air Act; to amend section 71-5716, Revised Statutes Cumulative Supplement, 2020; to preempt certain county and municipality resolutions or ordinances relating to electronic smoking devices; and to repeal the original section.

GENERAL FILE

LEGISLATIVE BILL 310. Title read. Considered.
Committee AM635, found on page 640, First Session, 2021, was offered.

Senator Albrecht offered her amendment, AM1511, found on page 179, to the committee amendment.

Pending.

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 955.** Introduced by Murman, 38; Aguilar, 35; Bostar, 29; Briese, 41; Cavanaugh, M., 6; Clements, 2; DeBoer, 10; Flood, 19; Gragert, 40; Halloran, 33; Hansen, M., 26; Hunt, 8; Pahls, 31; Sanders, 45; Wishart, 27.

A BILL FOR AN ACT relating to insurance; to prohibit certain insurance practices relating to a person's status as a living organ donor.

**LEGISLATIVE BILL 956.** Introduced by Murman, 38; Aguilar, 35; Briese, 41; Flood, 19.

A BILL FOR AN ACT relating to public health information; to amend section 71-503.01, Reissue Revised Statutes of Nebraska; to define terms; to provide for confidentiality of certain health information; to provide for use or disclosure of such information; to change provisions relating to confidential health information, reports, use, disclosure, and immunity; and to repeal the original section.

**NOTICE OF COMMITTEE HEARING(S)**

Government, Military and Veterans Affairs
Room 1507 1:30 PM

Wednesday, January 19, 2022
LB845
LB774

Thursday, January 20, 2022
LB734
LB733
LB786

Friday, January 21, 2022
Jerry Lee Jensen - State Personnel Board
LB769

(Signed) Tom Brewer, Chairperson
Tuesday, January 18, 2022
Ervin L. Portis - Climate Assessment Response Committee
LB712
LB805
LB802

(Signed) Steve Halloran, Chairperson

AMENDMENT(S) - Print in Journal

Senator Stinner filed the following amendment to LB376A:

AMENDMENT(S) - Print in Journal

Senator M. Cavanaugh filed the following amendment to LB376A:

AMENDMENT(S) - Print in Journal
25 Sec. 3. There is hereby appropriated (1) $1,498,224 from the
26 General Fund and $4,533,976 from federal funds for FY2021-22 and (2)
27 $2,996,448 from the General Fund and $9,067,952 from federal funds for
28 FY2022-23 to the Department of Health and Human Services, for Program
29 348, to aid in carrying out the provisions of Legislative Bill 376. One
30 Hundred Seventh Legislature, First Session, 2021.
31 No expenditures for permanent and temporary salaries and per diems
32 for state employees shall be made from funds appropriated in this
33 section.
34 There is included in the appropriation to this program for FY2021-22
35 $1,498,224 General Funds for state aid, which shall only be used for such
36 purpose. There is included in the appropriation to this program for
37 FY2022-23 $2,996,448 General Funds for state aid, which shall only be
38 used for such purpose.

Senator Hunt filed the following amendment to LB781:
AM1535
1 1. Strike original section 6 and insert the following new section:
2 Sec. 6. It shall not be a violation of the Heartbeat Act if the
3 abortion is sought to terminate a pregnancy in which a physician
4 determines there exists a likelihood of fetal anomaly.

Senator Dorn filed the following amendment to LB310:
AM1551
1 (Amendments to Standing Committee amendments, AM635)
2 1. Strike the original sections and all amendments thereto and
3 insert the following new sections:
4 Section 1. Section 77-2004, Reissue Revised Statutes of Nebraska, is
5 amended to read:
6 77-2004 (1) In the case of a father, mother, grandfather,
7 grandmother, brother, sister, son, daughter, child or children legally
8 adopted as such in conformity with the laws of the state where adopted,
9 any lineal descendant, any lineal descendant legally adopted as such in
10 conformity with the laws of the state where adopted, any person to whom
11 the deceased for not less than ten years prior to death stood in the
12 acknowledged relation of a parent, or the spouse or surviving spouse of
13 any such persons, the rate of tax shall be one percent of the clear
14 market value of the property in excess of eighty thousand dollars
15 received by each person.
16 (2) Any interest in property, including any interest acquired in the
17 manner set forth in section 77-2002, which may be valued at a sum of
18 eighty less than forty thousand dollars or less shall not be subject to
19 tax. In addition the homestead allowance, exempt property, and family
20 maintenance allowance shall not be subject to tax. Interests passing to
21 the surviving spouse by will, in the manner set forth in section 77-2002,
22 or in any other manner shall not be subject to tax. Any interest passing
23 to a person described in subsection (1) of this section who is under
24 twenty-two years of age shall not be subject to tax.
25 Sec. 2. Section 77-2005, Reissue Revised Statutes of Nebraska, is
26 amended to read:
27 77-2005 (1) In the case of an uncle, aunt, niece, or nephew related
28 to the deceased by blood or legal adoption, or other lineal descendant of
29 the same, or the spouse or surviving spouse of any of such persons, the
30 rate of tax shall be thirteen percent of the clear market value of the
31 property received by each person in excess of thirty thousand
32 dollars.
33 (2) If the clear market value of the beneficial interest is thirty
34 thousand dollars or less, it shall not be subject to tax.
9 amended to read:
10 77-2006 (1) In all other cases the rate of tax shall be eighteen
11 percent on the clear market value of the beneficial interests in excess
12 of twenty thousand dollars. Such rates of tax shall be applied to the
13 clear market value of the beneficial interests in excess of twenty thousand dollars received by each person.
15 (2) If the clear market value of the beneficial interest is twenty thousand dollars or less, it shall not be subject to any tax.
17 Sec. 4. Section 77-2040, Reissue Revised Statutes of Nebraska, is
18 amended to read:
19 77-2040 Sections 77-2002 to 77-2004 and 77-2102 shall become
20 operative on December 31, 1982, and shall apply to all property which
21 passes from a decedent dying after such date. Sections 77-2001, 77-2032,
22 and 77-2106 shall become operative on July 17, 1982. The changes made in
23 sections 77-2004 to 77-2006 by Laws 2007, LB 502, apply to all property
24 which passes from a decedent dying on or after January 1, 2008. The
25 changes made to section 77-2010 by Laws 2007, LB 502, apply to decedents
dying on or after January 1, 2008. The changes made in sections 77-2004,
27 77-2005, and 77-2006 by this legislative bill apply to all property which
28 passes from a decedent dying on or after January 1, 2023.
29 Sec. 5. Each personal representative of an estate shall, upon the
30 distribution of any proceeds from an estate, submit a report regarding
31 inheritance taxes to the county treasurer of the county in which the
1 estate was administered. The report shall be submitted on a form
2 prescribed by the Department of Revenue and shall include the following
3 information:
4 (1) The amount of inheritance tax revenue generated under section
5 77-2004 and the number of persons receiving property that was subject to
6 tax under section 77-2004;
7 (2) The amount of inheritance tax revenue generated under section
8 77-2005 and the number of persons receiving property that was subject to
9 tax under section 77-2005;
10 (3) The amount of inheritance tax revenue generated under section
11 77-2006 and the number of persons receiving property that was subject to
12 tax under section 77-2006; and
13 (4) The number of persons who do not reside in this state and who
14 received any property that was subject to tax under section 77-2004,
15 77-2005, or 77-2006.
16 Sec. 6. The Revisor of Statutes shall assign section 5 of this act
17 to Chapter 77, article 20.
18 Sec. 7. Original sections 77-2004, 77-2005, 77-2006, and 77-2040,
19 Reissue Revised Statutes of Nebraska, are repealed.

Senator McCollister filed the following amendment to LR14:
AM1555
1 1. In the third RESOLVED clause, before "continuing" insert
2 "conditional"; and after the period insert "If at least two-thirds of the
3 several states have made application on the same subject, the Legislature
4 shall vote at such time to reaffirm this application. This application
5 shall expire after four years from the date of adoption of this
6 resolution by the Legislature unless reaffirmed as herein provided."

AMENDMENT(S) - Refile in Journal

Senator M. Hansen refiled his amendment, AM1538, found and withdrawn in this day's Journal, to LR14.
UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Friesen name added to LB596.
Senator Brandt name added to LB773.
Senator Gragert name added to LB853.

VISITOR(S)

The Doctor of the Day was Dr. Joe Miller of Omaha.

ADJOURNMENT

At 4:58 p.m., on a motion by Senator McKinney, the Legislature adjourned until 10:00 a.m., Tuesday, January 11, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
FIFTH DAY - JANUARY 11, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 11, 2022

PRAYER

The prayer was offered by Pastor Noah Tyler, Westmark Evangelical Free Church, Loomis.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Gragert.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Blood and Brewer who were excused; and Senators Briese, DeBoer, M. Hansen, McCollister, and Walz who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fourth day was approved.

GENERAL FILE

LEGISLATIVE BILL 310. Committee AM635, found on page 640, First Session, 2021, and considered on page 273, was renewed.

Senator Albrecht renewed her amendment, AM1511, found on page 179 and considered on page 273, to the committee amendment.

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

**LEGISLATIVE BILL 957.** Introduced by Flood, 19.

A BILL FOR AN ACT relating to the Insurers Investment Act; to amend sections 44-5103, 44-5105, 44-5120, 44-5120.01, 44-5132, 44-5137, 44-5139, 44-5141, 44-5143, 44-5144, 44-5149, and 44-5153, Reissue Revised Statutes of Nebraska; to provide, change, and eliminate definitions; to change provisions relating to investments; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 958.** Introduced by Groene, 42; Hansen, B., 16.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-483 and 60-1509, Reissue Revised Statutes of Nebraska; to change the distribution of fee revenue; to require a report; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 959.** Introduced by McCollister, 20.

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

**LEGISLATIVE BILL 960.** Introduced by Vargas, 7; McKinney, 11.

A BILL FOR AN ACT relating to teachers and administrators; to amend section 79-809, Reissue Revised Statutes of Nebraska, sections 79-807 and 79-808, Revised Statutes Cumulative Supplement, 2020, and section 79-8,145, Revised Statutes Supplement, 2021; to remove basic skill and content test requirements; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 961.** Introduced by Vargas, 7; McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the University of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 962.** Introduced by Vargas, 7; McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the University of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 963.** Introduced by Murman, 38; Aguilar, 35; Flood, 19; Geist, 25; Gragert, 40; Halloran, 33; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to health care; to adopt the Medical Ethics
and Diversity Act; and to provide severability.

**LEGISLATIVE BILL 964.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to the Nebraska State Patrol; to amend section 81-1174, Revised Statutes Cumulative Supplement, 2020; to provide for reimbursement for per diem expenses and for actual meal expenses as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 965.** Introduced by Bostar, 29.

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

**LEGISLATIVE BILL 966.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to insurance; to adopt the Discretionary Clause Prohibition Act; and to provide severability.

**LEGISLATIVE BILL 967.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend sections 48-163, 48-174, and 48-177, Reissue Revised Statutes of Nebraska; to change provisions relating to rules and regulations and service; to allow hearings and trials under the act to be conducted telephonically or by videoconferencing; and to repeal the original sections.

**LEGISLATIVE BILL 968.** Introduced by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

**LEGISLATIVE BILL 969.** Introduced by Dorn, 30.

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

**NOTICE OF COMMITTEE HEARING(S)**

Natural Resources
Room 1525 1:30 PM

Wednesday, January 19, 2022
LB804
LB809
LB746
LB775
At 11:57 a.m., on a motion by Senator Pahls, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Foley presiding.

ROLL CALL

The roll was called and all members were present except Senators Blood and Brewer who were excused; and Senators Groene, Hilkemann, Morfeld, Pansing Brooks, Slama, Stinner, Wayne, and Wishart who were excused until they arrive.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

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<tr>
<th>LB/LR</th>
<th>Committee</th>
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<tr>
<td>LB828</td>
<td>Judiciary</td>
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<td>LB873</td>
<td>Revenue</td>
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</table>
NOTICE OF COMMITTEE HEARING(S)
Banking, Commerce and Insurance
Room 1507 1:30 PM

Tuesday, January 18, 2022

(Signed) Matt Williams, Chairperson
BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 970. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Agriculture; and to declare an emergency.

GENERAL FILE

LEGISLATIVE BILL 310. The Albrecht amendment, AM1511, found on page 179 and considered on page 273 and in this day's Journal, to the committee amendment, was renewed.

Senator Albrecht withdrew her amendment.

Senator Dorn withdrew his amendment, AM1551, found on page 275.

Committee AM635, found on page 640, First Session, 2021, and considered on page 273 and in this day's Journal, was renewed.

Senator Linehan moved for a call of the house. The motion prevailed with 25 ayes, 2 nays, and 22 not voting.

Senator Linehan requested a roll call vote on the committee amendment.

Voting in the affirmative, 40:

Aguilar  Clements  Hansen, B.  Lowe  Sanders
Albrecht  Day  Hilgers  McCollister  Slama
Arch  DeBoer  Hilkemann  McDonnell  Stinner
Bostar  Flood  Hughes  Morfeld  Vargas
Bostelman  Friesen  Kolterman  Moser  Walz
Brandt  Geist  Lathrop  Murman  Wayne
Briese  Gragert  Lindstrom  Pahls  Williams
Cavanaugh, J.  Groene  Linehan  Pansing Brooks  Wishart

Voting in the negative, 4:

Dorn  Erdman  Hunt  McKinney

Present and not voting, 2:

Cavanaugh, M.  Halloran

Excused and not voting, 3:
Blood Brewer Hansen, M.

The committee amendment was adopted with 40 ayes, 4 nays, 2 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Clements requested a roll call vote on the advancement of the bill.

Advanced to Enrollment and Review Initial with 41 ayes, 4 nays, 1 present and not voting, and 3 excused and not voting.

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 971.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 71-3701, 71-3702, 71-3704, 71-3705, and 71-3706, Revised Statutes Cumulative Supplement, 2020; to change the name of the Brain Injury Trust Fund Act to the Brain Injury Assistance Act; to change provisions relating to the Brain Injury Trust Fund and to change the name of the Brain Injury Trust Fund to the Brain Injury Assistance Program; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 972.**Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to property taxes; to amend section 77-1344, Revised Statutes Supplement, 2021; to change provisions relating to agricultural or horticultural land receiving special valuation; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 973.** Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to the Nebraska Investment Finance Authority Act; to amend sections 58-210.02, 58-219, 58-220, 58-221, 58-222, 58-239, and 58-251, Reissue Revised Statutes of Nebraska; to redefine terms; to change provisions relating to the powers of the Nebraska Investment Finance Authority; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 974.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to transit authorities; to amend section 14-1810, Reissue Revised Statutes of Nebraska, and section 18-819, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to an assessment and taxation exception under the Transit Authority Law and Regional Metropolitan Transit Authority Act; and to repeal the
original sections.

MOTION(S) - Print in Journal

Senator Hunt filed the following motion to LB835:

MO117
Withdraw LB835.

GENERAL FILE

LEGISLATIVE BILL 364. Title read. Considered.

Committee AM762, found on page 766 and considered on page 1175, First Session, 2021, was renewed.

Senator Hunt renewed her amendment, AM1051, found on page 1080 and considered on page 1175, First Session, 2021, to the committee amendment.

Senator M. Cavanaugh renewed her motion, MO52, found on page 1175 and considered on pages 1177 and 1179, First Session, 2021, to recommit to the Revenue Committee.

SPEAKER HILGERS PRESIDING

Senator M. Cavanaugh withdrew her motion to recommit to committee.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 975. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to state agencies; to provide a requirement for state officials or state employees who testify at a public hearing before the Legislature.

LEGISLATIVE BILL 976. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to the Nebraska Behavioral Health Services Act; to amend section 71-801, Revised Statutes Cumulative Supplement, 2020; to adopt the Certified Community Behavioral Health Clinic Act; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 977. Introduced by Slama, 1.

A BILL FOR AN ACT relating to appropriations; to appropriate federal
funds to the Department of Economic Development; and to declare an emergency.

**LEGISLATIVE BILL 978.** Introduced by Hughes, 44.

A BILL FOR AN ACT relating to the Environmental Protection Act; to amend sections 81-1508.01 and 81-1511, Reissue Revised Statutes of Nebraska, and sections 81-1502, 81-1504, 81-1505, and 81-1532, Revised Statutes Cumulative Supplement, 2020; to define a term; to provide for powers and duties relating to the treatment of dredged and fill material; to establish a fund; to provide a penalty; to harmonize provisions; and to repeal the original sections.

**NOTICE OF COMMITTEE HEARING(S)**

Transportation and Telecommunications
Room 1113 1:30 PM

Tuesday, January 18, 2022
LB714
LB720
LB749
LB750
LB757

(Signed) Curt Friesen, Chairperson

Education
Room 1525 1:30 PM

Tuesday, January 18, 2022
LB890 (cancel)

Tuesday, January 18, 2022
LB758
LB754
LB838

Tuesday, January 25, 2022
LB890

(Signed) Lynne Walz, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Wayne filed the following amendment to **LB364**: **AM1557**

2. On page 2, lines 12 and 28, strike "2021" and insert "2022".
3. On page 8, insert the following new subsection after line 29:
4 “(5) The credits allowed under the act may be earned for taxable
5 years beginning or deemed to begin on or after January 1, 2023, and
6 before January 1, 2033.”.
7 4. On page 11, line 5, strike “2022” and insert “2023” and strike
8 “2027” and insert “2028”.
9 5. On page 13, line 10, strike “2022” and insert “2023”; and in line
10 11 strike “2027” and insert “2028”.
11 6. Renumber the remaining sections accordingly.

Senator Hunt filed the following amendment to LB781:

AM1528
1 1. On page 2, after line 13, insert the following new subdivision:
2 “(4) Qualified practitioner means a physician, including an
3 osteopathic physician, an advanced practice registered nurse, a registered
4 nurse midwife, or a physician assistant licensed to practice in this
5 state as provided in the Uniform Credentialing Act;”; in line 15 strike
6 “(4)” and insert “(5)”; and in lines 16 and 19 strike “physician” and
7 insert “qualified practitioner”.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So
ordered.

Senator Briese name added to LB508.
Senator Brandt name added to LB508.
Senator Moser name added to LB933.
Senator Dorn name added to LB942.

VISITOR(S)

The Doctor of the Day was Dr. Dave Hoelting of Pender.

ADJOURNMENT

At 4:54 p.m., on a motion by Senator Walz, the Legislature adjourned until
9:00 a.m., Wednesday, January 12, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
SIXTH DAY - JANUARY 12, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 12, 2022

PRAYER
The prayer was offered by Pastor Joe Laughlin, Victory Church, Omaha.

PLEDGE OF ALLEGIANCE
The Pledge of Allegiance was offered by Senator Brewer.

ROLL CALL
Pursuant to adjournment, the Legislature met at 9:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Arch, Bostar, Bostelman, Day, DeBoer, Friesen, B. Hansen, M. Hansen, Lathrop, Morfeld, Pansing Brooks, Walz, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL
The Journal for the fourth day was approved.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 274. Introduced by Flood, 19.

WHEREAS, on February 3, 1968, Darin Koepke was born to Larry and Diane Koepke in Norfolk; and
WHEREAS, on February 25, 1968, Darin Koepke was baptized and on May 30, 1982, he was confirmed at Zion East Lutheran Church in Hoskins; and
WHEREAS, he graduated from Pierce High School in 1986 and Northeast Community College in 1988, where he was inducted into the Northeast Community College Hall of Success for his devotion to agriculture; and
WHEREAS, Darin actively served at St. John's Lutheran Church in Pierce, shepherding young men and women in their faith; and
WHEREAS, he was a loving father and husband dutifully committed to his family; and
WHEREAS, he proudly made agriculture his livelihood, eventually landing his dream job at Agrex Inc., where he spent the last twenty-two years of his life; and
WHEREAS, on October 21, 2021, a disgruntled former employee, who had been let go earlier that day, returned to the Agrex grain elevator in Superior and opened fire on employees; and
WHEREAS, Darin took quick action and barricaded a door to prevent the attacker from killing additional people; and
WHEREAS, on that day a former employee at Agrex killed two people and wounded one other; and
WHEREAS, Darin Koepke from Hadar was one of those tragically killed that day; and
WHEREAS, several lives were likely saved through Darin's actions; and
WHEREAS, Darin Koepke was a man utterly committed to faith, family, and his community.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature recognizes the heroic actions of Darin Koepke to help save the lives of others.
2. That a copy of this resolution be sent to the family of Darin Koepke.

Laid over.

MOTION(S) - Withdraw LB835

Senator Hunt offered her motion, MO117, found on page 286, to withdraw LB835.

The Hunt motion to withdraw the bill prevailed with 26 ayes, 0 nays, 10 present and not voting, and 13 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 364. Senator Hunt offered the following motion:
MO118
Bracket until April 20, 2022.

Senator Hunt withdrew her motion to bracket.

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

**LEGISLATIVE BILL 979.** Introduced by McCollister, 20.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 81-1565, 81-15,161, 81-15,162, and 81-15,163, Reissue Revised Statutes of Nebraska, sections 77-2717, 77-2734.03, 81-1558, 81-1561, and 81-1566, Revised Statutes Cumulative Supplement, 2020, and section 77-2715.07, Revised Statutes Supplement, 2021; to adopt the Remanufacturing Pilot Project Act; to provide tax credits as prescribed; to provide a termination date; to change the Nebraska Litter Reduction and Recycling Act and the Waste Reduction and Recycling Incentive Act as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 980.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to criminal justice; to amend section 83-175, Reissue Revised Statutes of Nebraska, and sections 83-184, 83-1,110.02, 83-1,111, 83-1,135, and 83-1,135.02, Revised Statutes Cumulative Supplement, 2020; to provide for release for medical treatment; to change provisions relating to medical parole; to provide for parole eligibility for persons serving sentences of life; to provide duties for the Board of Parole; to provide for applicability; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 981.** Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to the Trail Development Assistance Act; to amend sections 37-1001 and 37-1003, Reissue Revised Statutes of Nebraska; to revive the act; to state intent relating to fund transfers for trails; to provide for the use of the Trail Development Assistance Fund; and to repeal the original sections.

**LEGISLATIVE BILL 982.** Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 2021; to adopt the Education Savings Account Act; to provide income tax adjustments; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 983.** Introduced by Moser, 22.

A BILL FOR AN ACT relating to political subdivisions; to amend sections 13-1111 and 13-1121, Reissue Revised Statutes of Nebraska; to redefine a term and change review, notice, hearing, and designation provisions relating to industrial areas; and to repeal the original sections.
LEGISLATIVE BILL 984. Introduced by Moser, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2703 and 77-2708, Revised Statutes Cumulative Supplement, 2020; to change sales and use tax collection fees; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 985. Introduced by Kolterman, 24; Walz, 15.

A BILL FOR AN ACT relating to the ImagiNE Nebraska Act; to amend section 77-6805, Revised Statutes Cumulative Supplement, 2020; to redefine base year as prescribed; and to repeal the original section.

LEGISLATIVE BILL 986. Introduced by Briese, 41.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1632 and 77-1633, Revised Statutes Supplement, 2021; to adopt the School District Property Tax Limitation Act; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 987. Introduced by Briese, 41.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-506, 77-1632, and 77-1633, Revised Statutes Supplement, 2021; to adopt the School District Property Tax Limitation Act; to change provisions relating to hearings on proposed budget statements; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 988. Introduced by Stinner, 48.

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

LEGISLATIVE BILL 989. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services; to state intent regarding medicaid nursing facility rates; and to declare an emergency.

MOTION(S) - Print in Journal

Senator Brandt filed the following motion to LB757:

MO119 Suspend Rule 3, Section 14, to permit the cancellation of the public hearing on LB757.
Senator Brandt filed the following motion to LB757:

**MO120**
Withdraw LB757.

Senator Blood filed the following motion to LR262:

**MO121**
Withdraw LR262.

**AMENDMENT(S) - Print in Journal**

Senator Wayne filed the following amendment to LB364:

**AM1565**
(Amendments to Standing Committee amendments, AM762)

2. On page 2, lines 12 and 28, strike "2021" and insert "2022".
3. On page 8, insert the following new subsection after line 29:
   "(5) The credits allowed under the act may be earned for taxable
   years beginning or deemed to begin on or after January 1, 2023, and
   before January 1, 2033.".
4. On page 11, line 5, strike "2022" and insert "2023" and strike
   "2027" and insert "2028".
5. On page 13, line 10, strike "2022" and insert "2023"; and in line
   11 strike "2027" and insert "2028".
6. Renumber the remaining sections accordingly.

**MOTION(S) - Print in Journal**

Senator Kolterman filed the following motion:
Suspend the rules, Rule 5, Section 15(a), to permit introduction of Req.
3750 by the Nebraska Retirement Systems Committee.

**NOTICE OF COMMITTEE HEARING(S)**

Judiciary
Room 1113 1:30 PM

Wednesday, January 19, 2022
LB732
LB810
LB879
LB883
LB946

Thursday, January 20, 2022
LB773

Friday, January 21, 2022
LB694
LB763
LB833
LB870
LB953
(Signed) Steve Lathrop, Chairperson

GENERAL FILE

LEGISLATIVE BILL 364. Senator Hunt renewed her amendment, AM1051, found on page 1080 and considered on page 1175, First Session, 2021, and considered on page 283, to the committee amendment.

SPEAKER HILGERS PRESIDING

PRESIDENT FOLEY PRESIDING

Senator Hunt moved for a call of the house. The motion prevailed with 19 ayes, 4 nays, and 26 not voting.

Senator Hunt requested a roll call vote on her amendment.

Voting in the affirmative, 17:

Blood    Hansen, M.    McDonnell    Pansing Brooks    Wishart
Cavanaugh, J.    Hunt    McKinney    Vargas
Cavanaugh, M.    Lathrop    Morfeld    Walz
DeBoer    McCollister    Pahls    Wayne

Voting in the negative, 26:

Aguilar    Dorn    Hansen, B.    Linehan    Stinner
Albrecht    Erdman    Hilgers    Lowe    Williams
Arch    Geist    Hilkemann    Moser
Brewer    Gragert    Hughes    Murman
Briese    Groene    Kolterman    Sanders
Clements    Halloran    Lindstrom    Slama

Present and not voting, 2:

Brandt    Friesen

Excused and not voting, 4:

Bostar    Bostelman    Day    Flood

The Hunt amendment lost with 17 ayes, 26 nays, 2 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

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

**LEGISLATIVE BILL 990.** Introduced by Hansen, B., 16; Aguilar, 35; Albrecht, 17; Arch, 14; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Clements, 2; Day, 49; Dorn, 30; Erdman, 47; Flood, 19; Friesen, 34; Geist, 25; Gragert, 40; Groene, 42; Halloran, 33; Hilkemann, 4; Kolterman, 24; Lindstrom, 18; Linehan, 39; McCollister, 20; McDonnell, 5; Murman, 38; Pahls, 31; Pansing Brooks, 28; Slama, 1; Vargas, 7; Williams, 36; Wishart, 27.

A BILL FOR AN ACT relating to the Nebraska Criminal Code; to amend section 28‑101, Revised Statutes Cumulative Supplement, 2020; to create the offense of stolen valor; to provide a penalty; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 991.** Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Transportation; and to declare an emergency.

**LEGISLATIVE BILL 992.** Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Public Employees Retirement Board.

**GENERAL FILE**

**LEGISLATIVE BILL 364.** Senator Morfeld offered his amendment, AM1145, found on page 1186, First Session, 2021, to the committee amendment.

**SPEAKER HILGERS PRESIDING**

Pending.

**RECESS**

At 11:54 a.m., on a motion by Senator Aguilar, the Legislature recessed until 1:30 p.m.

**AFTER RECESS**

The Legislature reconvened at 1:30 p.m., President Foley presiding.
ROLL CALL

The roll was called and all members were present except Senators Bostelman, Briese, Groene, Lindstrom, McCollister, Slama, Stinner, and Vargas who were excused until they arrive.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

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</table>

Ashford, Ann - Nebraska Accountability and Disclosure Commission - Government, Military and Veterans Affairs

(Signed) Dan Hughes, Chairperson
Executive Board
NOTICE OF COMMITTEE HEARING(S)
Revenue
Room 1524 1:30 PM

Wednesday, January 19, 2022
LB825
LB723
LB688

(Signed) Lou Ann Linehan, Chairperson

GENERAL FILE

LEGISLATIVE BILL 364. The Morfeld amendment, AM1145, found on page 1186, First Session, 2021, and considered in this day's Journal, to the committee amendment, was renewed.

Senator Hunt offered the following motion:
MO123
Recommit to Revenue Committee.

Senator Linehan offered the following motion:
MO124
Bracket until April 11, 2022.

Senator Linehan withdrew her motion to bracket.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 993. Introduced by Bostar, 29; Flood, 19.

A BILL FOR AN ACT relating to the Nebraska Financial Innovation Act; to amend section 8-3024, Revised Statutes Supplement, 2021; to provide for a limitation on digital asset and cryptocurrency custody services; and to repeal the original section.

LEGISLATIVE BILL 994. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to scrap metal recycling; to amend sections 69-401, 69-402, 69-404, 69-405, and 69-408, Reissue Revised Statutes of Nebraska; to define a term; to change provisions relating to the purchase of and payment for certain regulated metals property; to provide for restrictions on the sale of catalytic converters; to change a penalty; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 995. Introduced by Linehan, 39.
A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-3523, Revised Statutes Supplement, 2021; to limit the total amount reimbursed by the state for homestead exemptions; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 996. Introduced by Dorn, 30.

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

LEGISLATIVE BILL 997. Introduced by Day, 49.

A BILL FOR AN ACT relating to schools; to amend sections 79-214 and 79-220, Reissue Revised Statutes of Nebraska; to change provisions relating to entrance requirements; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 998. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Municipal Inland Port Authority Act; to amend sections 13-3301, 13-3303, 13-3304, 13-3305, 13-3306, 13-3307, and 81-12,150, Revised Statutes Supplement, 2021; to define a term; to change certification provisions; to provide for prioritization of inland port authority proposals by the Department of Economic Development; to provide for creation of an inland port authority upon application by a nonprofit economic development corporation; to provide powers; to change provisions relating to inland port districts and rules and regulations relating to inland port authority proposals; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 999. Introduced by Wayne, 13; Cavanaugh, J., 9; McKinney, 11.

A BILL FOR AN ACT relating to transportation; to require the Department of Transportation to apply for federal funds; and to require construction of a bridge.

LEGISLATIVE BILL 1000. Introduced by Hansen, B., 16; McKinney, 11; Wayne, 13.

A BILL FOR AN ACT relating to children and families; to amend sections 43-247 and 43-292, Reissue Revised Statutes of Nebraska, and sections 28-101, 28-707, 28-710, and 43-2,129, Revised Statutes Cumulative Supplement, 2020; to define and redefine terms; to change provisions relating to what constitutes child abuse and neglect under the Child Protection and Family Safety Act and the Nebraska Juvenile Code; to change grounds for juvenile court jurisdiction and termination of parental
rights; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1001.** Introduced by Erdman, 47; Brewer, 43; Clements, 2; Halloran, 33; Lowe, 37; McDonnell, 5; Pahls, 31.

A BILL FOR AN ACT relating to schools; to amend section 79-211, Reissue Revised Statutes of Nebraska; to limit the school term for school districts and educational service units; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 1002.** Introduced by McDonnell, 5.

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

**LEGISLATIVE BILL 1003.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the State Employees Collective Bargaining Act; to amend section 81-1373, Reissue Revised Statutes of Nebraska; to include parole officers in the protective service bargaining unit; and to repeal the original section.

**LEGISLATIVE BILL 1004.** Introduced by Health and Human Services Committee: Arch, 14, Chairperson; Cavanaugh, M., 6; Day, 49; Hansen, B., 16; Murman, 38; Walz, 15; Williams, 36.

A BILL FOR AN ACT relating to the Developmental Disabilities Services Act; to amend section 83-1201, Revised Statutes Cumulative Supplement, 2020; to require the Department of Health and Human Services to engage a consultant; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 1005.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to treasurer's tax deeds; to amend section 77-1835, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to notice; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 1006.** Introduced by Murman, 38; Day, 49; Flood, 19; Gragert, 40; Morfeld, 46; Pansing Brooks, 28.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

**LEGISLATIVE BILL 1007.** Introduced by Murman, 38; Cavanaugh, M., 6; Day, 49; Gragert, 40; Morfeld, 46; Pansing Brooks, 28.
A BILL FOR AN ACT relating to the Rural Health Systems and Professional Incentive Act; to amend section 71-5668, Reissue Revised Statutes of Nebraska; to provide for repayment of qualified educational debts by local entities not receiving a federal match; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1008. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to political subdivisions; to prohibit a county, city, or village from restricting energy utility service as prescribed.

COMMITTEE REPORT(S)
Revenue

LEGISLATIVE BILL 434. Placed on General File with amendment.
AM1578
1 1. Strike original sections 3 and 4.
2 2. On page 6, reinstate the stricken matter in lines 9 through 12;
3 and in line 10, after the reinstated "each" insert "odd-numbered".
4 4. Renumber the remaining sections and correct the repealer
5 accordingly.

(Signed) Lou Ann Linehan, Chairperson

MOTION(S) - Print in Journal

Senator Wayne filed the following motion to LB916:
MO122
Rerefer to the Urban Affairs Committee.

NOTICE OF COMMITTEE HEARING(S)
Banking, Commerce and Insurance
Room 1507 1:30 PM

Monday, January 24, 2022
LB767
LB826
LB706

Room 1507 1:30 PM

Tuesday, January 25, 2022
LB739
LB846
LB894

(Signed) Matt Williams, Chairperson
Wednesday, January 19, 2022
LB741
LB905
LB901

(Signed) John Arch, Chairperson

GENERAL FILE

LEGISLATIVE BILL 364. The Hunt motion, MO123, found in this day's Journal, to recommit to Revenue Committee, was renewed.

Senator Linehan offered the following motion:
MO125
Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Linehan moved for a call of the house. The motion prevailed with 31 ayes, 1 nay, and 17 not voting.

Senator Linehan requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 28:

Aguilar  Clements  Groene  Lindstrom  Murman
Albrecht  Dorn  Halloran  Linehan  Sanders
Arch  Erdman  Hansen, B.  Lowe  Slama
Bostelman  Flood  Hilgers  McDonnell  Wayne
Brewer  Geist  Hughes  McKinney
Briese  Gragert  Koltermann  Moser

Voting in the negative, 14:

Blood  Cavanaugh, M.  Hansen, M.  Lathrop  Williams
Bostar  Day  Hilkemann  McCollister  Wishart
Cavanaugh, J.  DeBoer  Hunt  Morfeld

Present and not voting, 7:

Brandt  Pahls  Stinner  Walz
Friesen  Pansing Brooks  Vargas

The Linehan motion to invoke cloture failed with 28 ayes, 14 nays, and 7 present and not voting.

The Chair declared the call raised.
BILLS ON FIRST READING

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

LEGISLATIVE BILL 1009. Introduced by Brandt, 32.

A BILL FOR AN ACT relating to domestic abuse; to adopt the Domestic Abuse Death Review Act.

LEGISLATIVE BILL 1010. Introduced by Geist, 25.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend section 29-2263, Reissue Revised Statutes of Nebraska, and sections 43-250, 43-2,108, and 83-1,125.01, Revised Statutes Cumulative Supplement, 2020; to provide for the release of certain probation information and electronic monitoring data to law enforcement; to harmonize provisions; and to repeal the original sections.

AMENDMENT(S) - Print in Journal

Senator J. Cavanaugh filed the following amendment to LB364:
AM1173
(Amendments to Standing Committee amendments, AM762)
1 1. On page 2, line 30, strike "and".
2 2. On page 3, line 1, after "79-318" insert "and (c) participates in a statewide assessment and reporting system as described in section 79-760.03".

Senator M. Hansen filed the following amendment to LB364:
AM1585
(Amendments to Standing Committee amendments, AM762)
1 1. On page 2, strike beginning with "complies" in line 27 through 2 "2021" in line 28 and insert "does not discriminate on the basis of disability or special education status".

Senator Hilkemann filed the following amendment to LB496:
AM1582
(Amendments to E&R amendments, ER90)
1 1. On page 9, line 10, strike "2022" and insert "2023".

Senator Hilkemann filed the following amendment to LB496A:
AM1580
1 1. Strike the original sections and insert the following new sections:
3 Section 1. There is hereby appropriated (1) $423,846 from the General Fund for FY2022-23 and (2) $829,692 from the General Fund for FY2023-24 to the Nebraska State Patrol, for Program 100, to aid in carrying out the provisions of Legislative Bill 496, One Hundred Seventh Legislature, Second Session, 2022.
8 Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $16,203 for FY2022-23 or $32,407 for FY2023-24.
11 Sec. 2. The State Treasurer shall transfer $423,846 from the State
Settlement Cash Fund to the General Fund on or after January 1, 2023, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

Sec. 3. It is the intent of the Legislature that the State Treasurer transfer $829,692 from the State Settlement Cash Fund to the General Fund on or before July 15, 2023, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

Sec. 4. This act becomes operative on January 1, 2023.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Williams name added to LB773.
Senator Halloran name added to LB774.

VISITOR(S)

The Doctor of the Day was Dr. John Jacobsen of Kearney.

ADJOURNMENT

At 4:10 p.m., on a motion by Senator Williams, the Legislature adjourned until 9:45 a.m., Thursday, January 13, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
SEVENTH DAY - JANUARY 13, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 13, 2022

PRAYER

The prayer was offered by Senator Blood.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Brandt.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:45 a.m., President Foley presiding.

The roll was called and all members were present except Senators Bostelman and Halloran who were excused; and Senators Briese, B. Hansen, M. Hansen, Hunt, Lathrop, and Morfeld who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 259, line 3, strike "CA".
The Journal for the fourth day was approved as corrected.

The Journal for the sixth day was approved.

ANNOUNCEMENT(S)

Priority designation(s) received:

Erdman - LR264CA
NOTICE OF COMMITTEE HEARING(S)
Executive Board
Room 1525 12:00 PM

Monday, January 24, 2022
LB686
LB708

(Signed) Dan Hughes, Chairperson

Education
Room 1525 1:30 PM

Monday, January 24, 2022
LB872
LB868

(Signed) Lynne Walz, Chairperson

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 12, 2022, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Ashford, Brad
    Houghton Bradford Whitted PC, LLO
Harr, Burke
    Houghton Bradford Whitted PC, LLO
Jensen Rogert Associates, Inc.
    Doane University
Joekel, Tiffany
    Nebraska Medicine
Lostroh, Julia
    Nebraska Right to Life
Nebraska Strategies
    Lake McConaughy, LLC
    Lincoln Premium Poultry
O'Neil, Thomas, Jr.
    Nebraska Telecommunications Association
Otto, James A.
    American Communications, Inc.
Peetz & Company
    Telcoin
Radcliffe, Walter H. of Radcliffe Gilbertson & Brady
    RV Industry Association
MOTION - Escort Governor

Senator Wishart moved that a committee of five be appointed to escort the Governor of the State of Nebraska to the Legislative Chamber to deliver his State of the State Address.

Senator Wayne requested a roll call vote on the motion to escort the Governor.

The Wishart motion to escort the Governor prevailed with 37 ayes, 0 nays, 5 present and not voting, and 7 excused and not voting.

The Chair appointed Senators Hilkemann, Hughes, McKinney, Sanders, and McDonnell to serve on said committee.

STATE OF THE STATE ADDRESS

President Foley, Speaker Hilgers, Members of the Legislature, Distinguished Guests, friends, my lovely wife and First Lady Susanne Shore, fellow Nebraskans – good morning!

Congratulations on the commencement of the Second Session of the 107th Nebraska Legislature. Welcome back to Lincoln. I look forward to working together to serve Nebraskans during what is certain to be a fast-paced, short session.

Eight years ago, I announced my run for Governor. I did so out of a love for my state and a desire to see her thrive. Through the years, the guiding light of my administration has remained the same: to Grow Nebraska.

And, despite weathering floods, fires, and a global pandemic, we have done just that.

In the face of unprecedented challenges, the State of the State is strong.

We’ve been living with COVID-19 for nearly two years. It’s changed the way we do business, educate, learn, and go about our daily lives. And in some tragic cases, it’s taken lives.
But, true to our collective character, we have kept moving forward. The development of vaccines, boosters, and new treatments has given us the opportunity to return to the pursuit of the Good Life.

Nebraskans don’t need to be mandated to do the right thing. They just do it. Without lockdowns or mandates, businesses were able to stay open. Parents were able to return to work, and their children were able to return to school. Where authoritarian states are struggling, we are thriving.

Politico’s State Pandemic Response Scorecard confirms this. An in-depth, independent analysis of all 50 states shows Nebraska has weathered this storm better than any other state.

We have the lowest unemployment rate in history – not only in the history of our state, but of our nation – at 1.8 percent.

Last November marked the third month in a row with over one million Nebraskans employed.

And, our manufacturing sector has come roaring back. In fact, today more Nebraskans are working in manufacturing than pre-pandemic.

Our economic successes are a testament to Nebraskans’ desire to work hard and earn. From teachers to truck drivers, mechanics to medical professionals, farmers to fast food workers, and every profession in between, our state’s women and men invest their time and effort to better their communities and support their families.

Last year, we supported their work and helped them grow Nebraska.

Thanks to the leadership of Chairwoman Linehan and the Revenue Committee, the 2021 session ushered in a historic level of tax relief—relief that will deliver $2 billion to Nebraskans over the next two years.

Many other great bills were passed into law thanks to your hard work.

Chairman Friesen, Speaker Hilgers, and the Telecommunications and Transportation Committee joined forces to secure passage of the Nebraska Rural Broadband Bridge Act. As a result, an additional thirty thousand Nebraska households will have access to high-speed broadband.

Senators Brewer and Gragert shepherded through legislation that fully exempts military retirement pay from state income tax. Reforms like this are how we will keep talented veterans in our state.

All this—and more—was accomplished while responsibly managing state spending and limiting expenditures to only 2.4 percent growth.

Behind the numbers, we’ve experienced intangible growth as well.
Throughout Nebraska, our people’s grit, drive, and selflessness were on full display in 2021.

From North Omaha to North Platte, folks stepped up to solve problems in their communities.

In North Omaha, business and community leaders have been working to develop and revitalize Omaha’s historic North 24th Street. Through physical improvements such as providing high-speed fiber optic upgrades, and a comprehensive streetscape plan, the project’s work promises to bring businesses and customers back to the area.

In the home of famed Buffalo Bill Cody, North Platte ranchers felt the squeeze that comes with a lack of options for meat processing. Instead of accepting the status quo, David Briggs and others have launched Sustainable Beef, a beef processing plant that promises to bring nearly 900 jobs to the North Platte community and more than one billion dollars in annual revenue. More importantly, Nebraska’s ranchers will have more choice as they run their businesses.

Today, I’m joined by some of the people who are responsible for these incredible efforts: North Omaha’s Carmen Tapio, CEO of North End Teleservices; Pastor Ralph Lassiter, a leader with the North 24th Street Business Improvement District; and David Briggs, CEO of Sustainable Beef. Please join me in welcoming them.

Carmen, Pastor Ralph, and David: thank you for all you do to make our state better.

Other Nebraskans also continued to step up for one another. In 2021, over 200 of our men and women accepted the call to join the thin blue line that protects and serves our communities. They’ve earned that badge. They were trained, challenged, and tested – thanks, in part, to the work of instructors at our Law Enforcement Training Center in Grand Island.

We are joined here today by Law Enforcement Training Center Director Brenda Urbanek and Deputy Director Mark Stephenson. They work to make sure our men and women in blue are ready to respond to the unique needs of their communities. Brenda and Mark, thank you for all you do.

Our students continued to pursue personal development. We enter 2022 with more than 3,900 Nebraskans in registered apprenticeship programs throughout the state—including through our six great community colleges. That’s 3,900 more Nebraskans who are pursuing growth and contributing to our diverse, skilled workforce.

And, Nebraska continues to serve as a beacon for life. This includes the amazing aid our crisis pregnancy centers and other organizations provide to new mothers and their babies. It also includes the work our people do for
some of Nebraska’s most vulnerable—born and unborn.

I specifically want to recognize all that Attorney General Doug Peterson does to combat human trafficking in our state. During his tenure, the State of Nebraska has prosecuted 76 sex trafficking crimes, holding accountable those who are exploiting the vulnerable and delivering justice for victims of this modern day form of slavery.

Thank you, AG Peterson, for your leadership to ensure that all Nebraskans can expect justice and equality under the law.

We must also recognize all the doctors, nurses, and health care professionals, whose stalwart selflessness and excellent care has helped us weather this pandemic. Please help me thank our healthcare heroes.

We’ve come a long way in one year. But there is still work to be done. Work that will help everyone in our state thrive.

This legislative session, there are four priorities we must accomplish to keep Nebraska strong for years to come.

It’s likely not a surprise to any of you that I am starting with tax relief. It’s been a staple of my budget recommendations every year. I was elected on the promise that I would bring tax relief to our state. It’s what the hardworking men and women of our state deserve. And, given our current financial situation, we must deliver.

Last year, we successfully passed a two-year budget that set priorities for this year and next.

While there is an opportunity to fine-tune this plan, I expect state agencies and our partners to live within our existing budget and limit any budget growth to under three percent.

By the end of fiscal year 2023, the State of Nebraska is anticipated to have an estimated $1.5 billion in its Cash Reserve Fund. Let me say that again: 1.5 billion dollars.

Folks, this is the people’s money, and we must support tax relief that puts this money back into the pockets of the people.

To start, we can build on last session’s reforms by accelerating the phase-in of Social Security tax exemptions to five years, instead of the current ten-year period. This would allow our older neighbors and friends to keep more of their hard-earned money.

We also need to ensure that we are building upon the historic amount of property tax relief provided during last session. This fiscal year – and next – $548 million in annual property tax relief will go back to our people.
through LB1107. And we must make sure it does not drop below this floor.

Finally, over the next five years, we must reduce the top individual tax rate by one percent – from 6.84 percent to 5.84 percent. For those who may try to brand this as a tax cut for the rich, I challenge you to ask Nebraskans earning $33,180 a year, or families earning $66,360 a year, if they feel rich. They make up the 418,900 Nebraskans in this tax bracket who deserve relief.

And we can offer that relief while aligning job creator rates to this new individual income tax rate.

It’s imperative that we also remember our core responsibility: to protect public safety. After all, people are our greatest resource. There are several opportunities this session to strengthen our commitment to keep Nebraskans safe.

Historic agreements were struck to provide substantial pay increases for our 24/7 public health and safety positions. This will help us attract and retain quality corrections teammates. We’ve already seen a fivefold increase in Department of Corrections applicants since this announcement was made.

I am also requesting $16.9 million to enhance our state crime lab, which analyzes forensic and physical criminal evidence to better secure justice for victims of crime.

And $47.7 million to go toward the expansion of our Law Enforcement Training Center in Grand Island.

Finally, we must fully fund the replacement of the Nebraska State Penitentiary. The existing penitentiary was built over one hundred and fifty years ago. Its walls are crumbling, and its infrastructure is aged beyond simple repair.

For those wishing to pursue criminal justice reform, this should be a no-brainer. A modern facility will give our inmates a better quality of life. Modernizing our State Penitentiary will allow us to offer enhanced services and programming to prepare these men for life after time served.

I am not asking anyone to choose between supporting a modern State Penitentiary and pursuing policies that aim to reduce crime and recidivism. These solutions are not at odds, and there is room for both as we work to strengthen Nebraska.

This year, we can also help secure our water resources for generations to come.

After our people, water is Nebraska’s greatest natural resource.
To secure Nebraska’s water supply, I am recommending $500 million to construct a canal and reservoir system from the South Platte River.

Access to this water enables our farmers and ranchers to produce. It protects quality drinking water. It keeps electric generating costs manageable, and it ensures Nebraska remains the best place in the world to live, work, and raise a family.

If we fail to secure our supply from the South Platte River, we could expect to lose 90 percent of the water that currently comes to us from Colorado. We must act to preserve, protect, manage, and steward our water supply for our future Nebraskans.

I am also requesting $200 million be allocated to the water projects presented by the STAR WARS Special Committee. These projects will also secure our access to water—and they provide the additional promise to grow the Good Life in tourism and recreation.

In addition, I am recommending: $5 million to support repairs on the Peru Levee; $60 million to restore and protect drinking water systems in rural areas, such as Cedar and Knox Counties; and $23 million in repairs to the Fort Laramie Gering canal tunnel.

This year, we also have the rare task of spending the $1.04 billion that Nebraska has been allocated through the American Rescue Plan Act. These ARPA funds can help our state grow into the future.

Today, I am releasing a second budget recommendation with proposals on how to spend this ARPA funding, and I look forward to the robust debate that will ensue as you work to determine where this money is best spent.

I cannot stress it enough: ARPA funds are one-time funds. They must be spent as such. Each one of us has a responsibility to guard against spending this money in a way that grows government expenses.

My proposal includes 29 qualifying initiatives that will better Nebraska.

It will deliver nearly $200 million for public health emergency response.

And, for areas that experienced negative economic impacts from COVID-19, I am requesting over $500 million. This includes assistance for economic development projects in North Omaha and funding for beef processing supply chain issues in North Platte.

It secures funding for parents of low-income children who have experienced learning loss during the pandemic, and it provides Nebraska’s community colleges dollars to enhance their workforce development programs.

It also funds behavioral health and nursing incentives to ensure continued
access to excellent care throughout our state.

In addition, my ARPA budget proposal includes over $284 million to water and sewer projects. This includes partial funding for the Perkins County Canal and Reservoir construction, funding for the STAR WARS Special Committee proposals, and other key water projects I’ve mentioned today.

Putting money back into the pockets of hardworking Nebraskans. Protecting public safety. Securing access to our natural resources. And investing in one-time projects that will enhance our state. These are the ways we can keep Nebraska strong and growing in 2022.

I know that there will be tough debates. Long nights. And seemingly impossible time constraints.

But I also know that we get the job done when everyone rolls up their sleeves and works together.

Thank you for your service to the people of Nebraska. Our work in the coming days will require a spirit of collaboration and cooperation and for each of us to do our part to keep Nebraska strong.

I look forward to the challenge, opportunity, and honor of working with you.

Remember: Nebraska is what America is supposed to be.

God bless you all, and God bless the great State of Nebraska!

The committee escorted Governor Pete Ricketts from the Chamber.

BILLS ON FIRST READING

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

**LEGISLATIVE BILL 1011.** Introduced by Speaker Hilgers, 21; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2021, LB380, sections 48, 81, 96, 98, 103, 110, 111, 116, 120, 136, 156, 198, 246, 261, 266, and 267; and Laws 2021, LB383, sections 9, 10, 22, 23, 24, and 37; to define terms; to provide, change, and eliminate appropriations for operation of state government; to repeal the original sections; to outright repeal Laws 2021, LB396A, section 1; and to declare an emergency.

**LEGISLATIVE BILL 1012.** Introduced by Speaker Hilgers, 21; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to amend section 55-801, Reissue Revised Statutes of Nebraska; to provide for transfers of funds; to
create funds; to change provisions relating to use of a fund; to eliminate provisions regarding state agency postage reimbursement; to repeal the original section; to outright repeal section 81-167, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 1013. Introduced by Speaker Hilgers, 21; at the request of the Governor.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Revised Statutes Supplement, 2021; to provide and eliminate fund transfer provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1014. Introduced by Speaker Hilgers, 21; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to state intent; to define terms; to appropriate funds allocated to the State of Nebraska from the federal Coronavirus State Fiscal Recovery Fund pursuant to the federal American Rescue Plan Act of 2021, 42 U.S.C. 802, as amended; and to declare an emergency.

LEGISLATIVE BILL 1015. Introduced by Speaker Hilgers, 21; at the request of the Governor.

A BILL FOR AN ACT relating to natural resources; to adopt the Perkins County Canal Project Act.

LEGISLATIVE BILL 1016. Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Transportation Innovation Act; to amend section 39-2801, Reissue Revised Statutes of Nebraska, and section 39-2802, Revised Statutes Cumulative Supplement, 2020; to define terms; to provide for public-private partnerships; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1017. Introduced by Slama, 1.

A BILL FOR AN ACT relating to the Nebraska Uniform Trust Code; to amend section 30-3850, Reissue Revised Statutes of Nebraska, and section 30-3881, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to creditors' claims against settlors and powers of trustees; and to repeal the original sections.

LEGISLATIVE BILL 1018. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to schools; to set a minimum wage for employees of a Class V school district.
LEGISLATIVE BILL 1019. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to juvenile services; to establish the family resource and juvenile assessment center pilot program.

LEGISLATIVE BILL 1020. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to homestead exemptions; to amend sections 77-3513 and 77-3515, Reissue Revised Statutes of Nebraska, section 77-3506, Revised Statutes Cumulative Supplement, 2020, and section 77-3512, Revised Statutes Supplement, 2021; to change application requirements for certain veterans; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1021. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to universal service; to amend section 86-324, Revised Statutes Supplement, 2021; to provide authority and power to the Public Service Commission to regulate telecommunications companies that receive support to provide broadband services; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1022. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-4,115, Reissue Revised Statutes of Nebraska; to change provisions relating to fee remittance for the 24/7 sobriety program permit; and to repeal the original section.

LEGISLATIVE BILL 1023. Introduced by Hilgers, 21; Brandt, 32; Flood, 19; Gragert, 40; Hughes, 44; McCollister, 20; McDonnell, 5; Wishart, 27.

A BILL FOR AN ACT relating to water; to adopt the Lake Development Act and the Water Recreation Enhancement Act; and to declare an emergency.

NOTICE OF COMMITTEE HEARING(S)
Transportation and Telecommunications
Room 1113 1:30 PM

Monday, January 24, 2022
LB771
LB934
LB731
LB747
LB874
LB913
Tuesday, January 25, 2022
LB822
LB884
LB911

(Signed) Curt Friesen, Chairperson

**MOTION - Suspend Rules**

Senator Brandt offered his motion, [MO119](#), found on page 292, to suspend Rule 3, Section 14, to permit the cancellation of the public hearing on LB757.

The Brandt motion to suspend the rules prevailed with 33 ayes, 0 nays, 9 present and not voting, and 7 excused and not voting.

**MOTION(S) - Withdraw LB757**

Senator Brandt offered his motion, [MO120](#), found on page 293, to withdraw LB757.

The Brandt motion to withdraw the bill prevailed with 29 ayes, 0 nays, 12 present and not voting, and 8 excused and not voting.

**MOTION(S) - Withdraw LR262**

Senator Blood offered her motion, [MO121](#), found on page 293, to withdraw LR262.

The Blood motion to withdraw the resolution prevailed with 25 ayes, 0 nays, 16 present and not voting, and 8 excused and not voting.

**MOTION(S) - Rerefer LB916**

Senator Wayne offered his motion, [MO122](#), found on page 300, to rerefer LB916 to the Urban Affairs Committee.

Senator Wayne moved for a call of the house. The motion prevailed with 25 ayes, 4 nays, and 20 not voting.

Senator Wayne requested a roll call vote, in reverse order, on the motion to rerefer the bill.

Voting in the affirmative, 13:
Voting in the negative, 24:

Aguilar   Friesen   Hilkemann   McCollister   Sanders
Albrecht  Geist     Hughes     McDonnell   Slama
Arch      Gragert   Lathrop   Moser       Vargas
Clements  Hansen, B. Linehan   Murman     Williams
Dorn      Hilgers   Lowe       Pansing     Brooks

Present and not voting, 3:

Brandt   Cavanaugh, M.  Groene

Excused and not voting, 9:

Bostar   Briese     Flood     Lindstrom  Stinner
Bostelman Erdman   Halloran  Morfeld

The Wayne motion to rerefer the bill failed with 13 ayes, 24 nays, 3 present and not voting, and 9 excused and not voting.

The Chair declared the call raised.

GENERAL FILE

LEGISLATIVE BILL 685. Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 7 present and not voting, and 9 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 496. ER90, found on page 1341, First Session, 2021, was adopted.

Senator Hunt offered her amendment, AM1283, found on page 1293, First Session, 2021.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1024. Introduced by Wayne, 13; McKinney, 11.
A BILL FOR AN ACT relating to municipalities; to adopt the North Omaha Recovery Act; to create a fund; to state legislative intent for appropriations; and to declare an emergency.

LEGISLATIVE BILL 1025. Introduced by Wayne, 13; McKinney, 11.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1026. Introduced by Cavanaugh, J., 9; Hunt, 8; McKinney, 11.

A BILL FOR AN ACT relating to real property; to adopt the Unlawful Restrictive Covenant Modification Act.

LEGISLATIVE BILL 1027. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to education; to define terms; to provide for grants to schools that discontinue use of American Indian mascots; and to provide powers and duties to the State Department of Education.

LEGISLATIVE BILL 1028. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to the Wage and Hour Act; to amend sections 48-1202, 48-1203, 48-1203.01, 48-1205, 48-1206, 48-1207, 48-1208, and 48-1209, Reissue Revised Statutes of Nebraska; to define terms; to clarify language regarding compensation for tipped employees; to provide duties for employers; to change powers and duties of the Department of Labor and the Commissioner of Labor; to prohibit acts and provide a penalty; to provide for liquidated damages; to provide for complaints; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1029. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to the Nebraska Fair Employment Practice Act; to amend sections 48-1102, 48-1104, 48-1107, 48-1107.01, 48-1108.01, 48-1114, and 48-1121, Reissue Revised Statutes of Nebraska; to define and redefine terms; to prohibit harassment by certain employers; to provide an unlawful employment practice for a covered entity; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1030. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-202, Revised Statutes Cumulative Supplement, 2020; to exempt all tangible personal property from property tax; and to repeal the original section.
LEGISLATIVE BILL 1031. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to city and county jails; to amend sections 47-101.01 and 47-201.01, Reissue Revised Statutes of Nebraska; to provide for caps on fees for inmate telephone calls; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1032. Introduced by McDonnell, 5; Arch, 14; Blood, 3; Day, 49; Sanders, 45.

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

LEGISLATIVE BILL 1033. Introduced by Arch, 14.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Transportation and to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1034. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to schools; to amend section 79-1242, Reissue Revised Statutes of Nebraska, section 79-1204, Revised Statutes Cumulative Supplement, 2020, and sections 79-760.06 and 79-1241.03, Revised Statutes Supplement, 2021; to provide for the designation of needs improvement schools; to provide duties and intent; to change provisions regarding core services, core services and technology infrastructure funds, and educational service unit funds generated from the property tax levy; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1035. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Nebraska Probation Administration Act; to amend section 29-2262.06, Reissue Revised Statutes of Nebraska; to change provisions relating to non-probation-based programs or services, fees, and problem-solving courts; and to repeal the original section.

LEGISLATIVE BILL 1036. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to courts; to amend sections 24-1301 and 24-1302, Reissue Revised Statutes of Nebraska; to provide for problem-solving court referees and related court rules; and to repeal the original sections.

LEGISLATIVE BILL 1037. Introduced by Arch, 14; Cavanaugh, M., 6; Clements, 2; Day, 49; Geist, 25; Hansen, B., 16; Hansen, M., 26; Kolterman, 24; McKinney, 11; Murman, 38; Sanders, 45; Walz, 15; Wayne, 13;
A BILL FOR AN ACT relating to the Department of Administrative Services; to require an evaluation of the state's procurement practices; and to declare an emergency.


A BILL FOR AN ACT relating to the Uniform Residential Landlord and Tenant Act; to amend section 76-1415, Reissue Revised Statutes of Nebraska, and section 76-1410, Revised Statutes Supplement, 2021; to define a term; to prohibit a cleaning and damage provision in a rental agreement; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1039. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the Firefighter Cancer Benefits Act; to amend section 35‑1002, Revised Statutes Supplement, 2021; to provide for reimbursement from the state as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1040. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the In the Line of Duty Compensation Act; to amend section 81‑8,316, Revised Statutes Supplement, 2021; to redefine law enforcement officer; and to repeal the original section.

LEGISLATIVE BILL 1041. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Nebraska Investment Finance Authority; and to declare an emergency.

LEGISLATIVE BILL 1042. Introduced by Bostar, 29; Aguilar, 35; Flood, 19; Lindstrom, 18; Pahls, 31; Slama, 1.

A BILL FOR AN ACT relating to insurance; to amend section 44‑361, Reissue Revised Statutes of Nebraska; to change provisions regarding rebates; to add provisions regarding value-added products and services; to provide criteria; to define a term; and to repeal the original section.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

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

Senator Hunt filed the following amendment to LB933:

AM1577

1. Insert the following new section:
2 Sec. 9. No provision of the Nebraska Human Life Protection Act
3 applies to any health care consultation or procedure, including, but not
4 limited to, abortion, in which such pregnancy resulted from incest or
5 sexual assault, regardless as to whether such sexual assault was
6 reported, investigated, or prosecuted.
7 2. On page 2, line 4, strike "9" and insert "10"; and in line 6
8 strike "9" and insert "10".
9 3. Renumber the remaining sections accordingly.

NOTICE OF COMMITTEE HEARING(S)
General Affairs
Room 1510 1:30 PM

Monday, January 24, 2022
LB876
LB877
LB923
LB764

(Signed) Tom Briese, Chairperson
Health and Human Services
Room 1510 1:30 PM

Thursday, January 20, 2022
LB976
LB697
LB855

Friday, January 21, 2022
LB704
LB705
LB824
LB753

(Signed) John Arch, Chairperson
Revenue
Room 1524 1:30 PM

Friday, January 21, 2022
LB693
LB776
LB853

Wednesday, January 26, 2022
LB891

(Signed) Lou Ann Linehan, Chairperson
COMMUNICATION

January 13, 2022

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

Dear Mr. O'Donnell:

Please be advised that pursuant to Neb. Rev. Stat. §81-1505.03, the Executive Board has appointed Mr. Boyd Dingman from Omaha to the Small Business Compliance Advisory Panel.

Sincerely,

(Signed) Senator Dan Hughes
Chair, Executive Board
UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Lindstrom name added to LB774.
Senator Williams name added to LB781.
Senator Lindstrom name added to LB906.

VISITOR(S)

Visitors to the Chamber were Leadership Nebraska Class XIII from across the state.

The Doctor of the Day was Dr. Dave Hoelting of Pender.

ADJOURNMENT

At 11:59 a.m., on a motion by Speaker Hilgers, the Legislature adjourned until 10:00 a.m., Tuesday, January 18, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
EIGHTH DAY - JANUARY 18, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 18, 2022

PRAYER

The prayer was offered by Senator Clements.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Blood.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Aguilar, Day, Dorn, Geist, and Slama who were excused; and Senators Albrecht, Bostar, Briese, Halloran, Hunt, Linehan, Pansing Brooks, Vargas, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the seventh day was approved.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE RESOLUTION 14. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

MESSAGE(S) FROM THE GOVERNOR

January 7, 2022

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

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

Contingent upon your approval, the following individual is being reappointed to the Nebraska Investment Council:

Richard A. DeFusco, 6611 S. 41 Street, Lincoln, NE 68516

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

January 12, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Power Review Board:

Bridget Troxel Peck, CPA, CCBIA, 1129 Meadowlark Drive, Scottsbluff, NE 69361

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures
January 12, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the Nebraska Educational Telecommunications Commission:

Darrin Scott Good, Ph.D., 1010 Piedmont Road, Lincoln, NE 68510
Nicholas Baxter, 6501 Prairie Avenue, Omaha, NE 68132

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

January 14, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being reappointed to the Tax Equalization and Review Commission:

Robert W. Hotz, 8117 Imperial Circle, Lincoln, NE 68506

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures
UNANIMOUS CONSENT - Room Change

Senator B. Hansen asked unanimous consent that the Business and Labor Committee conduct its hearing on Monday, January 24, 2022, in Room 1003 instead of Room 1524. No objections. So ordered.

NOTICE OF COMMITTEE HEARING(S)
Judiciary
Room 1113 1:30 PM

Wednesday, January 26, 2022
LB918
LB920
LB952
LB980

Thursday, January 27, 2022
LB831
LB886
LB896
LB921

Friday, January 28, 2022
LB748
LB808
LB816
LB878
LB1010

(Signed) Steve Lathrop, Chairperson

RESOLUTION(S)
Pursuant to Rule 4, Sec. 5(b), LRs 265, 267, 270, and 273 were adopted.

PRESIDENT SIGNED
While the Legislature was in session and capable of transacting business, the President signed the following: LRs 265, 267, 270, and 273.

MOTION - Suspend Rules
Senator Kolterman offered his motion, found on page 293, to suspend the rules, Rule 5, Section 15(a), to permit introduction of Req. 3750 by the Nebraska Retirement Systems Committee.

The Kolterman motion to suspend the rules prevailed with 34 ayes, 1 nay, 6 present and not voting, and 8 excused and not voting.
BILL ON FIRST READING

The following bills were read for the first time by title:


A BILL FOR AN ACT relating to retirement; to amend section 79-920, Reissue Revised Statutes of Nebraska, section 84-1301, Revised Statutes Cumulative Supplement, 2020, and section 79-902, Revised Statutes Supplement, 2021; to change provisions of the School Employees Retirement Act and the State Employees Retirement Act; to define and redefine terms; to change provisions relating to termination of employment for certain school employees as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1044. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to public health and welfare; to adopt the Care Team Innovation Grant Pilot Project Act; and to state intent regarding funding.

LEGISLATIVE BILL 1045. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to public power and irrigation districts; to amend section 70-619, Reissue Revised Statutes of Nebraska; to change qualifications to be eligible to serve as a member of the board of directors; and to repeal the original section.

LEGISLATIVE BILL 1046. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to public power districts; to amend sections 32-512, 70-610, 70-612, 70-615, 70-616, 70-619, and 70-620.01, Reissue Revised Statutes of Nebraska; to change provisions relating to qualifications, eligibility, and election of members of the board of directors; to provide for creation of new election subdivisions for certain districts as prescribed; to provide for appointment of certain directors and chief executive officers by the Governor; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1047. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to the Nebraska Power Review Board; to amend sections 70-1001, 70-1001.01, and 70-1025, Reissue Revised Statutes of Nebraska; to change a declaration of policy; to define a term; to change requirements for an annual report as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1048. Introduced by Blood, 3.
A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the University of Nebraska; and to declare an emergency.


A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Supreme Court; to state intent regarding appropriations; and to declare an emergency.

LEGISLATIVE BILL 1050. Introduced by Flood, 19.

A BILL FOR AN ACT relating to education; to prohibit postsecondary education institutions from discriminating against student organizations based on their viewpoints, beliefs, and missions; to provide for a civil action and a defense or counterclaim; and to define terms.

LEGISLATIVE BILL 1051. Introduced by Cavanaugh, J., 9; McKinney, 11.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-2523, Revised Statutes Cumulative Supplement, 2020; to provide for setting aside and expunging records relating to convictions and adjudications for concealed weapon offenses; to define a term; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1052. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

SELECT FILE

LEGISLATIVE BILL 496. Senator Hunt offered her amendment, AM1283, found on page 1293, First Session, 2021.

Senator Hunt moved for a call of the house. The motion prevailed with 13 ayes, 2 nays, and 34 not voting.

Senator Hunt requested a roll call vote on her amendment.

Voting in the affirmative, 0.

Voting in the negative, 37:
Present and not voting, 2:

Hunt    Wayne

Absent and not voting, 1:

Stinner

Excused and not voting, 9:

Aguilar    Day    Geist    Morfeld    Wishart
Briese    Dorn    Halloran    Slama

The Hunt amendment lost with 0 ayes, 37 nays, 2 present and not voting, 1 absent and not voting, and 9 excused and not voting.

The Chair declared the call raised.

Pending.

**BILLS ON FIRST READING**

The following bills were read for the first time by title:

**LEGISLATIVE BILL 1053.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to courts; to amend section 43-278, Reissue Revised Statutes of Nebraska, and sections 24-303, 24-734, and 25-2704, Revised Statutes Cumulative Supplement, 2020; to change, provide, and eliminate provisions relating to conducting court proceedings by virtual conferencing and telephone or videoconferencing; to define a term; to provide for rules; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1054.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the University of Nebraska; and to declare an emergency.
LEGISLATIVE BILL 1055. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 1056. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to counties; to amend sections 23-114 and 23-114.05, Reissue Revised Statutes of Nebraska, and section 23-172, Revised Statutes Supplement, 2021; to change provisions relating to zoning regulations, violations, and codes; to provide for regulation of industrial wind turbines; and to repeal the original sections.

LEGISLATIVE BILL 1057. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to schools; to amend section 79-499, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to Class III school district membership and under what conditions such school may continue to operate; and to repeal the original section.

LEGISLATIVE BILL 1058. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to public power; to provide requirements for public power suppliers relating to retiring or shutting down base load units as prescribed.

LEGISLATIVE BILL 1059. Introduced by Flood, 19.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend sections 84-1409 and 84-1411, Revised Statutes Supplement, 2021; to exempt the Judicial Resources Commission and its subcommittees or subgroups from the act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1060. Introduced by Briese, 41.

A BILL FOR AN ACT relating to the Community Development Law; to amend sections 18-2116 and 18-2142.01, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to certain findings and the validity and enforceability of certain agreements; and to repeal the original sections.

LEGISLATIVE BILL 1061. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to insurance; to amend section 44-211, Reissue Revised Statutes of Nebraska; to change provisions relating to the board of directors of an insurance corporation; and to repeal the original section.
LEGISLATIVE BILL 1062. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-121, Reissue Revised Statutes of Nebraska; to change provisions relating to compensation for total disability; and to repeal the original section.

LEGISLATIVE BILL 1063. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Labor; and to declare an emergency.

LEGISLATIVE BILL 1064. Introduced by Arch, 14.

A BILL FOR AN ACT relating to state government; to amend sections 81-153 and 81-1120, Reissue Revised Statutes of Nebraska; to change powers and duties of the materiel division and provisions relating to the Materiel Division Revolving Fund; and to repeal the original sections.

LEGISLATIVE BILL 1065. Introduced by Groene, 42.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2155, Revised Statutes Cumulative Supplement, 2020, and sections 18-2101.02 and 18-2147, Revised Statutes Supplement, 2021; to change provisions relating to redevelopment plans receiving an expedited review; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1066. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services and the University of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 1067. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the University of Nebraska; to state intent relating to appropriations to the University of Nebraska as prescribed; and to declare an emergency.

LEGISLATIVE BILL 1068. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to the Behavioral Health Workforce Act; to amend sections 71-829 and 71-830, Reissue Revised Statutes of Nebraska; to state intent; to provide for additional residencies and training experiences for certain behavioral health providers in rural and underserved areas; to provide funding; to harmonize provisions; to repeal the original sections; and to declare an emergency.
LEGISLATIVE BILL 1069. Introduced by Williams, 36.

A BILL FOR AN ACT relating to the Rural Workforce Housing Investment Act; to amend sections 81-1228, 81-1229, 81-1230, and 81-1231, Revised Statutes Cumulative Supplement, 2020; to redefine terms; to change provisions relating to the workforce housing grant program, annual fund certification, an annual audit, and return of funds; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1070. Introduced by Williams, 36.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1071. Introduced by Williams, 36.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1072. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1073. Introduced by Wayne, 13; DeBoer, 10; Hansen, M., 26; McKinney, 11.

A BILL FOR AN ACT relating to state government; to amend sections 58-226, 58-241, 58-703, 58-705, 58-708, 58-709, 58-711, 68-1603, 71-15,141, and 81-1281, Reissue Revised Statutes of Nebraska, and sections 19-5504, 81-101, 81-102, 81-1228, 81-1233, 81-1237, and 81-1242, Revised Statutes Cumulative Supplement, 2020; to state legislative findings; to create the Department of Housing and Urban Development; to provide duties; to provide for a director and staff; to create the Housing Advisory Commission; to provide for an annual report; to transfer duties, functions, responsibilities, and jurisdiction as prescribed; to provide for an updated housing affordability strategy; to harmonize provisions; to provide a duty for the Revisor of Statutes; to provide an operative date; to repeal the original sections; and to outright repeal section 58-704, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1074. Introduced by Bostelman, 23; Stinner, 48.

A BILL FOR AN ACT relating to irrigation districts; to amend section 84-612, Revised Statutes Supplement, 2021; to create a fund; to create a grant program; to provide powers and duties to the Department of Natural Resources; to provide for a transfer of funds; and to repeal the original
LEGISLATIVE BILL 1075. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 1076. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 1077. Introduced by Hansen, B., 16; Albrecht, 17; Brewer, 43; Clements, 2; Erdman, 47; Friesen, 34; Groene, 42; Halloran, 33; Lowe, 37; Murman, 38.

A BILL FOR AN ACT relating to government; to provide restrictions and requirements for governmental entities, public postsecondary institutions, and public schools conducting mandatory staff or student training or education involving certain concepts relating to race and sex; to define terms; to provide for enforcement by the Attorney General; to provide for withholding of funds for violations; and to provide duties for the Board of Regents, Coordinating Commission for Postsecondary Education, State Department of Education, and State Treasurer.

LEGISLATIVE BILL 1078. Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to schools; to state findings; to define terms; and to prohibit possession of personal electronic devices by students in public schools as prescribed.

LEGISLATIVE BILL 1079. Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to appropriations; to state intent to appropriate funds to the Department of Revenue for distribution to residents of Nebraska as prescribed; and to declare an emergency.

LEGISLATIVE BILL 1080. Introduced by Sanders, 45.

A BILL FOR AN ACT relating to homestead exemptions; to amend sections 77-3513 and 77-3522, Reissue Revised Statutes of Nebraska, section 77-3506, Revised Statutes Cumulative Supplement, 2020, and section 77-3512, Revised Statutes Supplement, 2021; to change provisions relating to veterans who qualify for exemption, application requirements, and penalties; to harmonize provisions; to provide an operative date; and to repeal the original sections.
LEGISLATIVE BILL 1081. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to water; to state intent to appropriate federal funds; to create a grant program for the design, construction, and implementation of water transport infrastructure as prescribed; and to provide powers and duties for the Department of Natural Resources.

LEGISLATIVE BILL 1082. Introduced by Gragert, 40.

A BILL FOR AN ACT relating to organ and tissue donation; to amend section 71-4822, Reissue Revised Statutes of Nebraska; to provide powers and duties to the Game and Parks Commission; to require the Game and Parks Commission to provide certain information relating to organ and tissue donation on applications for certain hunting and fishing permits; to require the Game and Parks Commission to transfer certain hunting and fishing permit information relating to organ and tissue donation; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1083. Introduced by Business and Labor Committee: Hansen, B., 16, Chairperson; Blood, 3; Gragert, 40; Halloran, 33; Hansen, M., 26; Hunt, 8; Lathrop, 12.

A BILL FOR AN ACT relating to claims against the state; to appropriate funds for the payment of certain claims; to provide for payment of the claims; to authorize agencies to write off certain claims as prescribed; and to declare an emergency.

LEGISLATIVE BILL 1084. Introduced by Business and Labor Committee: Hansen, B., 16, Chairperson; Blood, 3; Gragert, 40; Halloran, 33; Hansen, M., 26; Hunt, 8; Lathrop, 12.

A BILL FOR AN ACT relating to claims against the state; to disapprove certain claims.

LEGISLATIVE BILL 1085. Introduced by Pansing Brooks, 28; Hilkemann, 4; McDonnell, 5; Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the State Department of Education; to declare legislative intent to appropriate funds; and to declare an emergency.

NOTICE OF COMMITTEE HEARING(S)
Government, Military and Veterans Affairs
Room 1507 1:30 PM

Wednesday, January 26, 2022
LB843
LB858
Thursday, January 27, 2022
LB823
LR271
LB778

Friday, January 28, 2022
LB807
LB765
LB847
LB791
LR263CA

(Signed) Tom Brewer, Chairperson
Appropriations
Room 1524 1:30 PM

Tuesday, January 25, 2022
LB1014

(Signed) John Stinner, Chairperson
Urban Affairs
Room 1510 1:30 PM

Tuesday, January 25, 2022
LB695
LB796
LB797
LB798

(Signed) Justin Wayne, Chairperson
Agriculture
Room 1003 1:30 PM

Tuesday, January 25, 2022
LB848
LB889

(Signed) Steve Halloran, Chairperson
AMENDMENT(S) - Print in Journal

Senator Blood filed the following amendment to LB694:

AM1591

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 25-224, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 25-224 (1) All product liability actions, except one governed by
6 subsection (5) or (6) of this section, shall be commenced within four
7 years next after the date on which the death, injury, or damage
8 complained of occurs.
9 (2)(a) Notwithstanding subsection (1) of this section or any other
10 statutory provision to the contrary, any product liability action, except
11 one governed by section 2-725, Uniform Commercial Code or by subsection
12 (5) or (6) of this section, shall be commenced as follows:
13 (i) For products manufactured in Nebraska, within ten years after
14 the date the product which allegedly caused the personal injury, death,
15 or damage was first sold or leased for use or consumption; or
16 (ii) For products manufactured outside Nebraska, within the time
17 allowed by the applicable statute of repose, if any, of the state or
18 country where the product was manufactured, but in no event less than ten
19 years. If the state or country where the product was manufactured does
20 not have an applicable statute of repose, then the only limitation upon
21 the commencement of an action for product liability shall be as set forth
22 in subsection (1) of this section.
23 (b) If the changes made to this subsection by Laws 2001, LB 489, are
24 declared invalid or unconstitutional, this subsection as it existed prior
25 to September 1, 2001, shall be deemed in full force and effect and shall
26 apply to all claims in which a final order has not been entered.
27 (3) The limitations contained in subsection (1), (2), (or (5), or (6)
1 of this section shall not be applicable to indemnity or contribution
2 actions brought by a manufacturer or seller of a product against a person
3 who is or may be liable to such manufacturer or seller for all or any
4 portion of any judgment rendered against a manufacturer or seller.
5 (4) Notwithstanding the provisions of subsections (1) and (2) of
6 this section, any cause of action or claim which any person may have on
7 July 22, 1978, may be brought not later than two years following such
8 date.
9 (5) Any action to recover damages based on injury allegedly
10 resulting from exposure to asbestos composed of chrysotile, amosite,
11 crocidolite, tremolite, anthrophylite, actinolite, or any combination
12 thereof, shall be commenced within four years after the injured person
13 has been informed of discovery of the injury by competent medical
14 authority and that such injury was caused by exposure to asbestos as
15 described herein, or within four years after the discovery of facts which
16 would reasonably lead to such discovery, whichever is earlier. No action
17 commenced under this subsection based on the doctrine of strict liability
18 in tort shall be commenced or maintained against any seller of a product
19 which is alleged to contain or possess a defective condition unreasonably
20 dangerous to the buyer, user, or consumer unless such seller is also the
21 manufacturer of such product or the manufacturer of the part thereof
22 claimed to be defective. Nothing in this subsection shall be construed to
23 permit an action to be brought based on an injury described in this
24 subsection discovered more than two years prior to August 30, 1981.
25 (6)(a) An action to recover damages based on injury or death that is
26 caused by exposure to a hazardous or toxic chemical shall be commenced
27 within ten years next after the cause of action accrues.
28 (b) Such a cause of action accrues upon the earlier of the date on
29 which the plaintiff;
30 (i) Is informed by competent medical authority that the injury or
31 death is related to the exposure to such chemical; or
1 (ii) By the exercise of reasonable diligence, should have known that
2 the injury or death is related to the exposure to such chemical.
3 (c) This subsection does not apply to actions described in
4 subsection (5) of this section.
5 Sec. 2. Original section 25-224, Reissue Revised Statutes of
6 Nebraska, is repealed.

Senator Pansing Brooks filed the following amendment to LB568:
AM1510
(Amendments to E&R amendments, ER93)
1 1. Strike section 12.
2 2. On page 2, line 18, strike "habitually", show as stricken, and
3 insert "excessively";
4 3. On page 7, line 10, strike "habitually truant", show as stricken,
5 and insert "excessively absent", strike the underscored semicolon, and
6 reinstate the stricken "or school" and after the reinstated "school"
7 insert an underscored semicolon.
8 4. On page 8, strike beginning with "This" in line 13 through line
9 15.
10 5. On page 21, strike beginning with "make" in line 1 through the
11 first "to" in line 2, show as stricken, and insert "exhaust all available
12 and appropriate"; in line 2 strike "available" and show as stricken; in
13 line 4 after the period insert "The county attorney shall include in any
14 such petition a description of the efforts required by this subsection.
15 The efforts required by the county attorney by this subsection shall be
16 separate and distinct from the efforts required under subsection (2) of
17 section 79-209.{{.section}}", strike "describe", show as stricken, and insert
18 "provide"; and strike lines 6 through 11.
19 6. On page 40, in line 3, reinstate the stricken "and", and after
20 the reinstated "and" insert "excessive absenteeism"; and reinstate the
21 stricken matter beginning with "under" in line 3 through "43-247" in line
22 4.
23 7. Renumber the remaining sections and correct the repealer
24 accordingly.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 275. Introduced by Williams, 36.

WHEREAS, Vernon Waldren of Papillion was a lifelong educator
dedicated to service, mentoring, and leadership in his communities; and
WHEREAS, Vernon was an invaluable member of the Elkhorn Grange,
Carver Grange, and State Grange Executive Board and helped charter the
Carver Grange; and
WHEREAS, Vernon received the Nebraska State Grange Distinguished
Service Award in 2019; and
WHEREAS, Vernon was the unit leader for the Douglas-Sarpy 4-H
Program, the largest such program in Nebraska, from 1976 through 2013; and
WHEREAS, Vernon was a committed member of the National
Association of Extension 4-H Agents, attending his first conference in 1977
and eventually serving as Treasurer in 1994 and President in 2000; and
WHEREAS, Vernon was inducted into the National 4-H Hall of Fame in 2018; and
WHEREAS, Vernon provided immense service to his communities as an extension educator for thirty-seven years; and
WHEREAS, Vernon Waldren passed away on January 7, 2022.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature recognizes Vernon Waldren for his service and leadership to the communities of Nebraska.
2. That the Legislature offers its condolences to the family of Vernon Waldren.
3. That a copy of this resolution be sent to the family of Vernon Waldren.

Laid over.

LEGISLATIVE RESOLUTION 276. Introduced by Blood, 3.

PURPOSE: The purpose of this resolution is to study the circumstances in which conditional use permits can be approved or revoked. This study shall include, but not be limited to:
(1) Examining the abilities of Nebraska municipalities regarding the approval of conditional use permits;
(2) Determining whether a property owner or the conditional use permit holder being in arrears to the city, state, or federal government enables revocation of such conditional use permits; and
(3) Deciding if more clarification for the use of conditional use permits in state statute is necessary.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Executive Board of the Legislative Council shall designate a special committee of the Legislature to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 277. Introduced by Blood, 3.

PURPOSE: The purpose of this resolution is to determine what is needed to develop a plan to protect managed and native Nebraskan pollinators from current harmful practices. This study shall include, but not be limited to:
(1) Analyzing the effects of neonicotinoids on pollinators such as bees, butterflies, moths, and bats;
(2) Understanding the population decline of managed and native pollinators in Nebraska;
(3) Outlining better practices for entities engaged in activities that can affect pollinator viability, as well as practices that enhance and create habitats to support and grow Nebraska's population of pollinators;
(4) Determining efficient and cost-effective practices to protect pollinators; and
(5) Providing leadership and guidance relating to the protection of pollinators to localities and the private sector.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Executive Board of the Legislative Council shall designate a special committee of the Legislature to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

MOTION(S) - Print in Journal

Senator Groene filed the following motion to LB790:
MO126 Withdraw LB790.

Senator Wayne filed the following motion to LB496:
MO127 Reconsider the vote taken on AM1283.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 310. Placed on Select File with amendment.
ER99
1 1. On page 1, strike line 4 and insert "to require a report; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.".

(Signed) Terrell McKinney, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Lowe name added to LB773.
Senator Hunt name added to LB864.
Senator Wayne name added to LB1026.
VISITOR(S)

The Doctor of the Day was Dr. Rachel Blake of Lincoln.

ADJOURNMENT

At 12:01 p.m., on a motion by Senator Erdman, the Legislature adjourned until 9:00 a.m., Wednesday, January 19, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
NINTH DAY - JANUARY 19, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 19, 2022

PRAYER

The prayer was offered by Senator Hilkemann.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Briese.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator Geist who was excused; and Senators Blood, Bostar, DeBoer, Dorn, Friesen, B. Hansen, M. Hansen, Hunt, Lathrop, McCollister, Morfeld, and Walz who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eighth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

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<td>LB1022</td>
<td>Transportation and Telecommunications</td>
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COMMITTEE REPORT(S)
Transportation and Telecommunications

LEGISLATIVE BILL 720. Placed on General File.

LEGISLATIVE BILL 749. Placed on General File.

LEGISLATIVE BILL 714. Placed on General File with amendment.

AM1592

1. Insert the following new section:

2 Sec. 2. Section 60-1515, Reissue Revised Statutes of Nebraska, is amended to read:

4 60-1515 (1) The Legislature hereby finds and declares that a statewide system for the collection, storage, and transfer of data on vehicle titles and registration and the cooperation of state and local government in implementing such a system is essential to the efficient operation of state and local government in vehicle titling and registration. The Legislature hereby finds and declares that the electronic issuance of operators' licenses and state identification cards using a digital system as described in section 60-484.01 and the cooperation of state and local government in implementing such a system is essential to the efficient operation of state and local government in issuing operators' licenses and state identification cards.

15 (2) It is therefore the intent of the Legislature that the Department of Motor Vehicles shall use a portion of the fees appropriated by the Legislature to the Department of Motor Vehicles Cash Fund as follows:

18 (a) To pay for the cost of issuing motor vehicle titles and registrations on a system designated by the department. The costs shall include, but not be limited to, software and software maintenance, programming, processing charges, and equipment including such terminals,
22 printers, or other devices as deemed necessary by the department after
23 consultation with the county to support the issuance of motor vehicle
24 titles and registrations. The costs shall not include the cost of county
25 personnel or physical facilities provided by the counties;
26 (b) To fund the centralization of renewal notices for motor vehicle
27 registration and to furnish to the counties the certificate of
1 registration forms specified in section 60-390. The certificate of
2 registration form shall be prescribed by the department;
3 (c) To pay for the costs of an operator's license system as
4 specified in sections 60-484.01 and 60-4,119 and designated by the
5 department. The costs shall be limited to such terminals, printers,
6 software, programming, and other equipment or devices as deemed necessary
7 by the department to support the issuance of such licenses and state
8 identification cards in the counties and by the department; and
9 (d) To pay for the motor vehicle insurance database created under
10 section 60-3,136.
11 (3) The department shall utilize three dollars of each fee allocated
12 to the Department of Motor Vehicles Cash Fund from state identification
13 cards valid for five years and Class O or M operators' licenses valid for
14 five years to open and operate an additional operators' licensing service
15 center.
16 2. Renumber the remaining sections and correct the repealer
17 accordingly.

(Signed) Curt Friesen, Chairperson

COMMITTEE REPORT(S)
Agriculture

The Agriculture Committee desires to report favorably upon the
appointment(s) listed below. The Committee suggests the appointment(s) be
confirmed by the Legislature and suggests a record vote.

Ervin L. Portis - Climate Assessment Response Committee

Aye: 8. Brandt, Brewer, Cavanaugh, J., Gragert, Groene, Halloran,
Hansen, B., Lathrop. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Steve Halloran, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Natural Resources
Room 1525 1:30 PM

Wednesday, January 26, 2022
LB925
LB981
LB978
Patrick L. Berggren - Nebraska Game and Parks Commission
Douglas A. Zingula - Nebraska Game and Parks Commission

(Signed) Bruce Bostelman, Chairperson
Wednesday, January 26, 2022
LB929
LB862
LB1004

(Signed)  John Arch, Chairperson

Appropriations
Room 1003 1:30 PM

Wednesday, January 26, 2022
Agency 16 - Revenue, Department of
Agency 97 - Hemp Commission
Agency 81 - Commission for the Blind and Visually Impaired
Agency 28 - Veterans' Affairs, Department of
Agency 76 - Indian Commission, Nebraska
Agency 32 - Educational Lands and Funds, Board of
Agency 47 - Educational Telecommunications Commission, Nebraska
Agency 85 - Public Employees Retirement Board, Nebraska
LB992

Thursday, January 27, 2022
Agency 24 - Motor Vehicles, Department of
Agency 27 - Transportation, Department of
Agency 31 - Military Department
Agency 53 - Real Property Appraiser Board
LB751
LB991

(Signed)  John Stinner, Chairperson

MOTION(S) - Withdraw LB790

Senator Groene offered his motion, MO126, found on page 341, to withdraw LB790.

Pending.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1086. Introduced by Geist, 25.

A BILL FOR AN ACT relating to abortion; to amend sections 28-101 and 38-2021, Revised Statutes Cumulative Supplement, 2020; to adopt the
Chemical Abortion Safety Protocol Act; to redefine unprofessional conduct relating to abortion under the Medicine and Surgery Practice Act; to provide for severability; and to repeal the original sections.

LEGISLATIVE BILL 1087. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds for aid to community colleges; and to declare an emergency.

LEGISLATIVE BILL 1088. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to the Nebraska Transformational Project Fund; to amend section 81-12,193, Revised Statutes Cumulative Supplement, 2020, and section 84-612, Revised Statutes Supplement, 2021; to change provisions relating to transfers and expenditures of funds; to authorize a transfer of funds; and to repeal the original sections.

LEGISLATIVE BILL 1089. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 1090. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to the Business Innovation Act; to amend section 81-12,162, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to award limits; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1091. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to nurses; to adopt the Nebraska Nursing Incentive Act; to provide scholarships as prescribed; and to state intent regarding appropriation of federal funds.

LEGISLATIVE BILL 1092. Introduced by Flood, 19.

A BILL FOR AN ACT relating to Nebraska state colleges; to authorize establishment of risk-loss trusts; to provide requirements for use of risk-loss trusts; to provide for applicability; and to provide a duty for the Attorney General and the State Claims Board.

LEGISLATIVE BILL 1093. Introduced by Flood, 19.

A BILL FOR AN ACT relating to economic development; to amend sections 13-2610, 82-334, and 82-335, Revised Statutes Supplement, 2021; to adopt the Enhancement Project Financing Assistance Act; to provide for use of certain sales tax revenue; to harmonize provisions; and to repeal the
original sections.

**LEGISLATIVE BILL 1094.** Introduced by Flood, 19.

A BILL FOR AN ACT relating to the ImagiNE Nebraska Act; to amend section 77-6815, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the number of new employees; and to repeal the original section.

**LEGISLATIVE BILL 1095.** Introduced by Halloran, 33.

A BILL FOR AN ACT relating to the Animal Health and Disease Control Act; to amend section 54-2949, Reissue Revised Statutes of Nebraska; to change provisions relating to premises registration and animal disease traceability; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 1096.** Introduced by Halloran, 33.

A BILL FOR AN ACT relating to governmental entities; to provide for participation in trusts and investment pools; and to provide powers for the State Treasurer.

**LEGISLATIVE BILL 1097.** Introduced by Halloran, 33.

A BILL FOR AN ACT relating to sales and use taxes; to amend section 77-2701.16, Revised Statutes Supplement, 2021; to change provisions relating to motor vehicle towing; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 1098.** Introduced by Halloran, 33.

A BILL FOR AN ACT relating to the State Fire Marshal; to amend sections 81-520.01 and 81-5,159, Reissue Revised Statutes of Nebraska, and sections 81-5,172, 81-5,213, 81-5,216, 81-5,217, 81-5,218, 81-5,219, 81-5,223, 81-5,230, 81-5,237, and 81-5,239, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to obtaining a permit to conduct open burning, contractor certificates, the Boiler Inspection Act, and the Conveyance Safety Act; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1099.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to economic development; to create the Nebraska Hydrogen Hub Industry Work Group; to provide duties for the Department of Economic Development; to state intent regarding appropriations; and to declare an emergency.

**LEGISLATIVE BILL 1100.** Introduced by Bostelman, 23.
A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

**LEGISLATIVE BILL 1101.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to telecommunications; to amend sections 86-330, 86-1306, and 86-1307, Revised Statutes Supplement, 2021; to change universal service funding redirection provisions as prescribed; to change grant application, scoring, and challenge procedure provisions under the Nebraska Broadband Bridge Act; to change and provide duties for the Public Service Commission; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1102.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to environmental protection; to amend sections 81-1507 and 81-1508, Reissue Revised Statutes of Nebraska; to adopt the Nebraska Environmental Response Act; to change provisions relating to enforcement of environmental protection provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1103.** Introduced by Brandt, 32.

A BILL FOR AN ACT relating to the Beginning Farmer Tax Credit Act; to amend sections 77-5203 and 77-5209, Revised Statutes Cumulative Supplement, 2020; to redefine a term; to change provisions relating to net worth qualifications; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1104.** Introduced by Day, 49.

A BILL FOR AN ACT relating to the Emergency Management Act; to amend sections 81-829.39 and 81-829.41, Reissue Revised Statutes of Nebraska; to define terms; to change duties of the Nebraska Emergency Management Agency; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1105.** Introduced by Day, 49.

A BILL FOR AN ACT relating to motor vehicle registration; to amend sections 60-301, 60-393, 60-395, 60-396, 60-3,104, and 60-3,130.04, Reissue Revised Statutes of Nebraska; to provide for Autism Awareness Plates; to provide powers and duties; to create a fund; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1106.** Introduced by Day, 49.

A BILL FOR AN ACT relating to relating to the Mental Health Practice
Act; to amend sections 38-2122 and 38-2123, Revised Statutes Cumulative Supplement, 2020; to change licensure qualifications for provisional mental health practitioners and mental health practitioners; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1107. Introduced by Day, 49.

A BILL FOR AN ACT relating to social services; to amend section 68-1206, Revised Statutes Supplement, 2021; to change provisions relating to provider reimbursement for an absent child; and to repeal the original section.

LEGISLATIVE BILL 1108. Introduced by Day, 49.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend section 31-727, Revised Statutes Supplement, 2021; to provide powers and duties relating to the regulation of fireworks to certain sanitary and improvement districts as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1109. Introduced by Murman, 38.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-101 and 53-125, Reissue Revised Statutes of Nebraska; to provide for the issuance of a liquor license to the spouse of a law enforcement officer as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1110. Introduced by Slama, 1.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-103, 60-123, 60-135.01, 60-153, 60-305, 60-339, 60-358.01, 60-3,100, 60-3,104, 60-3,135.01, 60-3,143, 60-3,187, 60-3,190, 60-3,221, 60-471, 60-4,114, 60-4,123, 60-4,123.01, 60-4,124, 60-501, 60-6,266, 60-6,279, 60-6,355, and 60-6,356, Reissue Revised Statutes of Nebraska, and section 23-187, Revised Statutes Cumulative Supplement, 2020; to authorize county boards to regulate the operation of certain all-terrain vehicles and utility-type vehicles on highways within counties; to redefine terms; to change provisions relating to certificates of title for all-terrain vehicles and utility-type vehicles; to require registration and provide for fees and taxes for certain all-terrain vehicles and utility-type vehicles; to change provisions relating to the driving skills test for the Class O operator's license; to change certain safety provisions of the Nebraska Rules of the Road; to authorize the operation of certain all-terrain vehicles and utility-type vehicles on highways as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1111. Introduced by McKinney, 11; Cavanaugh, J., 9; Wayne, 13.
A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Supreme Court.

LEGISLATIVE BILL 1112. Introduced by McKinney, 11; Slama, 1.

A BILL FOR AN ACT relating to schools; to amend sections 79-729 and 79-760.01, Revised Statutes Supplement, 2021; to adopt the Computer Science and Technology Act; to provide a graduation requirement; to change duties relating to academic content standards; and to repeal the original sections.

LEGISLATIVE BILL 1113. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to the Young Adult Bridge to Independence Act; to amend section 43-4501, Reissue Revised Statutes of Nebraska; to provide for a pilot program; to state intent to appropriate federal funds; and to repeal the original section.

LEGISLATIVE BILL 1114. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to the Business Innovation Act; to amend sections 81-12,153, 81-12,154, 81-12,156, and 81-12,162, Revised Statutes Cumulative Supplement, 2020; to define a term; to change provisions relating to purposes, funding preferences, and the small business investment program; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1115. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to property taxes; to require the development of certain property in order for it to retain its property tax exemption; to define terms; and to create a fund.

LEGISLATIVE BILL 1116. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Business Innovation Act; to amend sections 81-12,153 and 81-12,158, Revised Statutes Cumulative Supplement, 2020; to define a term; to change provisions relating to a financial assistance program for creating prototypes; and to repeal the original sections.

LEGISLATIVE BILL 1117. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Community Development Assistance Act; to amend sections 13-201 and 13-203, Reissue Revised Statutes of Nebraska, and section 13-208, Revised Statutes Cumulative Supplement, 2020; to define and redefine terms; to change provisions relating to limits on tax credits; to provide a sunset date; to harmonize provisions; and to repeal the original sections.
LEGISLATIVE BILL 1118. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to city airport authorities; to amend sections 3-504 and 32-547, Reissue Revised Statutes of Nebraska, and section 3-502, Revised Statutes Cumulative Supplement, 2020; to provide for election of members of an airport authority board in a city of the metropolitan class; to change provisions relating to powers; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1119. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Cities Airport Authorities Act; to amend section 3-504, Reissue Revised Statutes of Nebraska; to change powers of an authority created by a city of the metropolitan class as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1120. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to federal funds; to disqualify entities receiving funds under the federal American Rescue Plan Act of 2021 from a high-population county or a city of the metropolitan class from receiving such funds from the state; and to define terms.

LEGISLATIVE BILL 1121. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to elections; to amend section 32-203, Reissue Revised Statutes of Nebraska, and section 32-204, Revised Statutes Cumulative Supplement, 2020; to require inspection of vote counting devices; to provide for use of a fund for such inspections; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1122. Introduced by Erdman, 47.

A BILL FOR AN ACT relating to the Land Surveyors Regulation Act; to amend sections 81-8,108.01 and 81-8,109, Revised Statutes Cumulative Supplement, 2020; to redefine a term; to authorize certain activities and provide a requirement related to land surveying; to provide for liability; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1123. Introduced by Erdman, 47; Clements, 2; Groene, 42.

A BILL FOR AN ACT relating to elections; to amend section 32-1027, Revised Statutes Cumulative Supplement, 2020; to change procedures for counting ballots; and to repeal the original section.

LEGISLATIVE BILL 1124. Introduced by Erdman, 47; Clements, 2; Groene, 42.
A BILL FOR AN ACT relating to decedents' estates; to amend section 30-24,125, Reissue Revised Statutes of Nebraska; to change a personal property value threshold for collection of personal property by affidavit for small estates; and to repeal the original section.

NOTICE OF COMMITTEE HEARING(S)

Health and Human Services
Room 1510 1:30 PM

Thursday, January 27, 2022
Briefing by the Nebraska Children's Commission
LB906

(Signed) John Arch, Chairperson

MOTION(S) - Withdraw LB790

Senator Groene renewed his motion, MO126, found on page 341 and considered in this day's Journal, to withdraw LB790.

Pending.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1125. Introduced by Aguilar, 35.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1126. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to amend section 68-1206, Revised Statutes Supplement, 2021; to eliminate a copayment; and to repeal the original section.

LEGISLATIVE BILL 1127. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to state regulations; to adopt the Regulatory Sandbox Act.

LEGISLATIVE BILL 1128. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to teachers; to amend section 77-2716, Revised Statutes Supplement, 2021; to adopt the Student Loan Repayment Assistance for Teachers Act; to provide an income tax deduction as prescribed; and to repeal the original section.
LEGISLATIVE BILL 1129. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to public health and welfare; to provide for free contraceptives for women as prescribed.

LEGISLATIVE BILL 1130. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the Nebraska Statewide Workforce and Education Reporting System Act; to amend sections 48-648, 48-2303, 48-3701, and 60-484, Reissue Revised Statutes of Nebraska, and section 77-27,119, Revised Statutes Supplement, 2021; to require memoranda of understanding regarding data sharing; to provide duties for the Nebraska Statewide Workforce and Education Reporting System, Department of Labor, Department of Motor Vehicles, Department of Health and Human Services, and Department of Revenue; to require reports; to require confidentiality; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1131. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to appropriations; to state intent to appropriate federal funds for bonus payments; and to declare an emergency.

LEGISLATIVE BILL 1132. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the Nebraska Uniform Real Property Transfer on Death Act; to amend sections 76-3401 and 76-3410, Reissue Revised Statutes of Nebraska; to change provisions relating to required warnings on transfer on death deeds and insurance policies on certain real property; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1133. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-101.01, Reissue Revised Statutes of Nebraska; to define a term; to include health care workers within provisions concerning mental injuries and mental illness; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1134. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to political accountability and disclosure; to amend section 49-14,101.02, Reissue Revised Statutes of Nebraska; to prohibit use of public resources by a member of a board of directors or an employee of certain corporations as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1135. Introduced by Murman, 38.
A BILL FOR AN ACT relating to conservation or preservation easements; to amend sections 23-1506, 76-2,112, 76-2,113, 76-2,115, 76-2,117, and 77-5007, Reissue Revised Statutes of Nebraska, and section 77-202, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to creating, approving or denying, recording, or enforcing such easements; to change property tax exemptions relating to easements; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1136. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to health care; to amend section 71-448, Reissue Revised Statutes of Nebraska; to adopt the Senior Care LGBTQ Discrimination Prevention Act; to provide for enforcement under the Health Care Facility Licensure Act; and to repeal the original section.

LEGISLATIVE BILL 1137. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to the Fair Pay to Play Act; to amend sections 48-3601, 48-3602, 48-3603, 48-3604, 48-3605, 48-3606, 48-3607, 48-3608, and 48-3609, Reissue Revised Statutes of Nebraska; to rename the act; to change provisions relating to name, image, or likeness rights of a student-athlete; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1138. Introduced by Vargas, 7.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.


A BILL FOR AN ACT relating to political accountability and disclosure; to amend section 49-1469, Reissue Revised Statutes of Nebraska; to prohibit certain corporations from making an expenditure or a contribution or providing personal services as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1140. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to withholding of wages; to amend section 48-224, Reissue Revised Statutes of Nebraska; to change provisions relating to approval of agencies and associations for participation in public employee withholding programs; and to repeal the original section.

NOTICE OF COMMITTEE HEARING(S)

Executive Board
Room 1525 12:00 PM

Wednesday, January 26, 2022
LB814
LB975
Thursday, January 27, 2022
LB844
LR269CA

(Signed) Dan Hughes, Chairperson

MOTION(S) - Withdraw LB790

Senator Groene renewed his motion, MO126, found on page 341 and considered in this day's Journal, to withdraw LB790.

The Groene motion to withdraw the bill prevailed with 30 ayes, 0 nays, 13 present and not voting, and 6 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 496. Senator Wayne offered his motion, MO127, found on page 341, to reconsider the vote taken on AM1283.

SENATOR HUGHES PRESIDING

SPEAKER HILGERS PRESIDING

Pending.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1141. Introduced by Vargas, 7.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Commission on Public Advocacy; and to declare an emergency.

LEGISLATIVE BILL 1142. Introduced by Vargas, 7.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1143. Introduced by Linehan, 39; Albrecht, 17; Brandt, 32; Briese, 41; Groene, 42; Halloran, 33; Lowe, 37; Moser, 22; Murman, 38; Sanders, 45; Slama, 1.
A BILL FOR AN ACT relating to the Interlocal Cooperation Act; to amend section 13-809, Revised Statutes Cumulative Supplement, 2020; to require approval by the voters for the issuance of certain bonds; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1144. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to telecommunications; to amend section 86-134, Reissue Revised Statutes of Nebraska, and sections 86-1304 and 86-1306, Revised Statutes Supplement, 2021; to change discontinuance of service provisions under the Nebraska Telecommunications Regulation Act; to define terms; to change provisions of the Nebraska Broadband Bridge Act relating to grant matching funds requirements, application and award deadlines, project extensions, and application scoring; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1145. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to public records; to amend section 60-699, Reissue Revised Statutes of Nebraska; to change provisions relating to public records regarding motor vehicle accident reports; and to repeal the original section.

LEGISLATIVE BILL 1146. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Interlocal Cooperation Act; to amend sections 13-804, 13-805, and 13-808, Reissue Revised Statutes of Nebraska; to change agreement provisions; to provide for voter approval of agreements and project proposals; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1147. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Uniform Standard Code for Manufactured Homes and Recreational Vehicles; to amend section 71-4603, Reissue Revised Statutes of Nebraska; to redefine terms; and to repeal the original section.

LEGISLATIVE BILL 1148. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Motor Vehicle Industry Licensing Board; to amend sections 60-1403, 60-1413, 60-1414, 60-1417.02, 60-1427, 60-1428, and 60-1435, Reissue Revised Statutes of Nebraska; to provide for the employment of a hearing officer; and to repeal the original sections.

LEGISLATIVE BILL 1149. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend section 60-3,191, Reissue Revised Statutes of Nebraska; to change
the registration fee for alternative fuel-powered motor vehicles; and to repeal the original section.

**LEGISLATIVE BILL 1150.** Introduced by Legislative Performance Audit Committee: Geist, 25; Chairperson; Day, 49; Friesen, 34; Hughes, 44; McCollister, 20.

A BILL FOR AN ACT relating to the ImagiNE Nebraska Act; to amend sections 77-6827 and 77-6828, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the contents of applications and agreements; and to repeal the original sections.

**LEGISLATIVE BILL 1151.** Introduced by McCollister, 20.

A BILL FOR AN ACT relating to the Nebraska State Capitol; to amend section 84-612, Revised Statutes Supplement, 2021; to create a fund; to provide restrictions on the fund; to provide for a transfer of funds from the Cash Reserve Fund; and to repeal the original section.

**LEGISLATIVE BILL 1152.** Introduced by McCollister, 20.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Administrative Services; and to declare an emergency.

**LEGISLATIVE BILL 1153.** Introduced by McCollister, 20.

A BILL FOR AN ACT relating to the State Electrical Act; to amend section 81-2103, Reissue Revised Statutes of Nebraska; to change the number of members of the State Electrical Board; to change qualifications for certain members of the State Electrical Board; and to repeal the original section.

**LEGISLATIVE BILL 1154.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to criminal justice; to amend sections 83-1,107, 83-1,114, 83-1,135, 83-1,135.02, and 83-962, Revised Statutes Cumulative Supplement, 2020; to provide duties for the Department of Correctional Services; to change provisions relating to good time and parole eligibility; to provide for rules and regulations; to provide for applicability; to require reports; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1155.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-901, Revised Statutes Supplement, 2021; to require implementation of a pilot program for pretrial release; to state intent regarding appropriations; and to repeal the original section.
LEGISLATIVE BILL 1156. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2021, LB380, section 216; to change appropriations to the Department of Economic Development; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1157. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to the State Department of Education; to require reporting on federal funds received under the federal American Rescue Plan Act of 2021.

LEGISLATIVE BILL 1158. Introduced by Sanders, 45; Albrecht, 17; Groene, 42; Halloran, 33; Linehan, 39; Murman, 38.

A BILL FOR AN ACT relating to schools; to amend sections 79-530, 79-531, 79-532, and 79-533, Reissue Revised Statutes of Nebraska; to change provisions relating to parental involvement in education policies; to provide duties for schools and school districts; to provide for withholding of funding from school districts that fail to comply; to provide duties for the Commissioner of Education and county treasurers; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1159. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 1160. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Environment and Energy; and to declare an emergency.

LEGISLATIVE BILL 1161. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the State Department of Education; and to declare an emergency.

LEGISLATIVE BILL 1162. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Commission for the Deaf and Hard of Hearing; and to declare an emergency.

LEGISLATIVE BILL 1163. Introduced by Wishart, 27.
A BILL FOR AN ACT relating to the Business Innovation Act; to amend sections 81-12,157, 81-12,158, 81-12,159, 81-12,160, 81-12,161, 81-12,162, and 81-12,163, Revised Statutes Cumulative Supplement, 2020; to change award limitations as prescribed; to state legislative intent; and to repeal the original sections.

LEGISLATIVE BILL 1164. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to health and human services; to state intent regarding an increase in rates for Child Welfare Aid; and to declare an emergency.

LEGISLATIVE BILL 1165. Introduced by Sanders, 45.

A BILL FOR AN ACT relating to the Nebraska Budget Act; to amend section 13-504, Revised Statutes Cumulative Supplement, 2020, and sections 13-506 and 13-508, Revised Statutes Supplement, 2021; to change provisions relating to proposed budget statement contents, certification, and an adopted budget statement; and to repeal the original sections.

LEGISLATIVE BILL 1166. Introduced by Sanders, 45.

A BILL FOR AN ACT relating to the One-Call Notification System Act; to amend sections 76-2324 and 76-2329, Reissue Revised Statutes of Nebraska; to change provisions relating to liability for damage by an excavator; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1167. Introduced by Flood, 19.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development and to the Department of Labor; and to declare an emergency.

LEGISLATIVE BILL 1168. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 2021; to provide an income tax deduction for the costs of medical care as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1169. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to the State Department of Education; to require the State Department of Education to create a loan forgiveness grant program.

LEGISLATIVE BILL 1170. Introduced by Sanders, 45; Albrecht, 17; Arch, 14; Bostelman, 23; Brewer, 43; Clements, 2; Erdman, 47; Flood, 19; Geist, 25; Gragert, 40; Groene, 42; Halloran, 33; Hilkemann, 4; Linehan,
39; Lowe, 37; McCollister, 20; McDonnell, 5; Murman, 38; Slama, 1; Stinner, 48.

A BILL FOR AN ACT relating to schools; to amend section 79-2,103, Reissue Revised Statutes of Nebraska; to require schools to allow youth organizations to provide information, services, and activities as prescribed; to define terms; to require background checks; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1171. Introduced by Sanders, 45.

A BILL FOR AN ACT relating to the Jury Selection Act; to amend sections 25-1647, 25-1648, and 25-1678, Revised Statutes Cumulative Supplement, 2020; to make the clerk of the district court ex officio jury commissioner in all counties; to change provisions relating to compensation of the jury commissioner in certain counties; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1172. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 278CA. Introduced by Linehan, 39.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2022, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VII, section 2, Article VII, section 4, and Article XIII, section 1, and repeal Article VII, section 3:

VII-2 The State Department of Education shall be comprised of a State Board of Education and a Commissioner of Education. The State Department of Education shall have general supervision and administration of the school system of the state and of such other activities as the Legislature may direct.

VII-4 The Governor shall appoint and fix the compensation of the Commissioner of Education, who shall be the executive officer of the State Board of Education and the administrative head of the State Department of Education, and who shall have such powers and duties as the Legislature may direct. The board shall appoint all employees of the State Department of Education on the recommendation of the Commissioner of Education.
XIII-1 The state may, to meet casual deficits, or failures in the revenue, contract debts never to exceed in the aggregate one hundred thousand dollars, and no greater indebtedness shall be incurred except for the purpose of repelling invasion, suppressing insurrection, or defending the state in war, and provision shall be made for the payment of the interest annually, as it shall accrue, by a tax levied for the purpose, or from other sources of revenue, which law providing for the payment of such interest by such tax shall be irrepealable until such debt is paid; Provided, that if the Legislature determines by a three-fifths vote of the members elected thereto that (1) the need for construction of highways in this state requires such action, it may authorize the issuance of bonds for such construction, and for the payment of the interest and the retirement of such bonds it may pledge any tolls to be received from such highways or it may irrevocably pledge for the term of the bonds all or a part of any state revenue closely related to the use of such highways, such as motor vehicle fuel taxes or motor vehicle license fees and (2) the construction of water retention and impoundment structures for the purposes of water conservation and management will promote the general welfare of the state, it may authorize the issuance of revenue bonds for such construction, and for the payment of the interest and the retirement of such bonds it may pledge all or any part of any state revenue derived from the use of such structures; and provided further, that the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, and, at the direction of the Governor, the Commissioner of Education the State Board of Education may issue revenue bonds to construct, purchase, or otherwise acquire, extend, add to, remodel, repair, furnish, and equip dormitories, residence halls, single or multiple dwelling units, or other facilities for the housing and boarding of students, single or married, and faculty or other employees, buildings and structures for athletic purposes, student unions or centers, and for the medical care and physical development and activities of students, and buildings or other facilities for parking, which bonds shall be payable solely out of revenue, fees, and other payments derived from the use of the buildings and facilities constructed or acquired, including buildings and facilities heretofore or hereafter constructed or acquired, and paid for out of the proceeds of other issues of revenue bonds, and the revenue, fees, and payments so pledged need not be appropriated by the Legislature, and any such revenue bonds heretofore issued by either of such boards are hereby authorized, ratified, and validated. Bonds for new construction shall be first approved as the Legislature shall provide.

Article VII, section 3, of the Constitution of Nebraska is repealed.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to eliminate the State Board of Education and transfer the power to appoint the Commissioner of Education to the Governor and the power to issue revenue bonds to the Commissioner of Education at the direction of the Governor.

For
Against.
SELECT FILE

LEGISLATIVE BILL 496. The Wayne motion, MO127, found on page 341 and considered in this day's Journal, to reconsider the vote taken on AM1283, was renewed.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 21 ayes, 2 nays, and 26 not voting.

The Wayne motion to reconsider failed with 7 ayes, 28 nays, 10 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Hunt offered her amendment, AM1290, found on page 1297, First Session, 2021.

Senator Hilkemann offered the following motion: MO129
Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Hilkemann moved for a call of the house. The motion prevailed with 30 ayes, 2 nays, and 17 not voting.

Senator Hilkemann requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 33:

Aguilar    Day    Hilkemann    McDonnell    Slama
Albrecht    Dorn    Hughes    Morfeld    Stinner
Arch       Erdman  Kolterman  Moser     Walz
Bostelman  Flood    Lathrop  Murman    Williams
Brandt     Gragert  Lindstrom  Pahls    Wishart
Brewer     Halloran Lowe    Pansing Brooks
Clements   Hilgers  McCollister  Sanders

Voting in the negative, 12:

Bostar  DeBoer  Hansen, B.  McKinney
Cavanaugh, J.  Friesen  Hansen, M.  Vargas
Cavanaugh, M.  Groene  Hunt     Wayne

Present and not voting, 1:

Linehan

Excused and not voting, 3:
Blood    Briese    Geist

The Hilkemann motion to invoke cloture prevailed with 33 ayes, 12 nays, 1 present and not voting, and 3 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on the Hunt amendment, AM1290.

Voting in the affirmative, 1:

Hansen, M.

Voting in the negative, 44:

Aguilar    Clements    Halloran    Linehan    Sanders
Albrecht    Day    Hansen, B.    Lowe    Slama
Arch    DeBoer    Hilgers    McCollister    Stinner
Bostar    Dorn    Hilkemann    McDonnell    Vargas
Bostelman    Erdman    Hughes    McKinney    Walz
Brandt    Flood    Hunt    Moser    Wayne
Brewer    Friesen    Kolterman    Murman    Williams
Cavanaugh, J.    Gragert    Lathrop    Pahls    Wishart
Cavanaugh, M.    Groene    Lindstrom    Pansing Brooks

Present and not voting, 1:

Morfeld

Excused and not voting, 3:

Blood    Briese    Geist

The Hunt amendment lost with 1 aye, 44 nays, 1 present and not voting, and 3 excused and not voting.

Senator M. Hansen requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 26:

Albrecht    Erdman    Lathrop    Moser    Walz
Arch    Gragert    Lindstrom    Murman    Williams
Bostelman    Hilgers    Lowe    Pahls
Brandt    Hilkemann    McCollister    Sanders
Brewer    Hughes    McDonnell    Slama
Dorn    Kolterman    Morfeld    Stinner

Voting in the negative, 16:
NINTH DAY - JANUARY 19, 2022

Bostar  Flood  Hansen, M.  Pansing Brooks
Cavanaugh, J.  Friesen  Hunt  Vargas
Cavanaugh, M.  Groene  Linehan  Wayne
DeBoer  Hansen, B.  McKinney  Wishart

Present and not voting, 4:
Aguilar  Clements  Day  Halloran

Excused and not voting, 3:
Blood  Briese  Geist

Advanced to Enrollment and Review for Engrossment with 26 ayes, 16 nays, 4 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1173. Introduced by Health and Human Services Committee: Arch, 14, Chairperson; Cavanaugh, M., 6; Day, 49; Hansen, B., 16; Murman, 38; Walz, 15; Williams, 36.

A BILL FOR AN ACT relating to child welfare; to state findings and intent; to create a work group and strategic leadership group for child welfare system reform; to provide duties for the Department of Health and Human Services; to define terms; and to declare an emergency.

LEGISLATIVE BILL 1174. Introduced by Wayne, 13; Hansen, B., 16.

A BILL FOR AN ACT relating to state government; to require reports from state entities; and to require public hearings.

LEGISLATIVE BILL 1175. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to insurance; to prohibit a health insurer from removing a provider as an in-network provider under certain circumstances; and to provide a civil cause of action.

LEGISLATIVE BILL 1176. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to the Affordable Housing Tax Credit Act; to amend sections 77-2501, 77-2502, 77-2503, 77-2505, and 81-523, Reissue Revised Statutes of Nebraska; to redefine a term; to change provisions relating to the allocation and use of tax credits; to provide for applicability; to harmonize provisions; and to repeal the original sections.
LEGISLATIVE BILL 1177. Introduced by Bostar, 29; McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services for a pilot program for frontline first responders; and to declare an emergency.

LEGISLATIVE BILL 1178. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to county records; to amend section 23-3211, Revised Statutes Cumulative Supplement, 2020; to provide for withholding the residential address of a judge from the public; to define a term; and to repeal the original section.

LEGISLATIVE BILL 1179. Introduced by Groene, 42; Albrecht, 17; Brewer, 43; Clements, 2; Erdman, 47; Halloran, 33; Hansen, B., 16; Lowe, 37; McDonnell, 5; Murman, 38; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to education; to amend section 9-812, Revised Statutes Supplement, 2021; to adopt the Classroom Safety Intervention and Behavioral Awareness Training Act; to change provisions relating to the Nebraska Education Improvement Fund; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1180. Introduced by Groene, 42.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.03, Reissue Revised Statutes of Nebraska, and section 77-2716, Revised Statutes Supplement, 2021; to change individual income tax brackets as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1181. Introduced by Groene, 42; Albrecht, 17; Brewer, 43; Clements, 2; Erdman, 47; Halloran, 33; Hansen, B., 16; Lowe, 37; Murman, 38; Sanders, 45.

A BILL FOR AN ACT relating to elections; to amend sections 32-318.01 and 32-914, Reissue Revised Statutes of Nebraska, and section 32-947, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to required identification documents for registering to vote and voting in person or by mail; to change provisions relating to early voting procedures; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1182. Introduced by Pansing Brooks, 28; Walz, 15.

A BILL FOR AN ACT relating to schools; to adopt the School Employees Pandemic Protection Act; and to state intent regarding appropriation of federal funds.
LEGISLATIVE BILL 1183. Introduced by Aguilar, 35.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations of federal funds to the Department of Health and Human Services; to define terms; and to declare an emergency.

LEGISLATIVE BILL 1184. Introduced by Geist, 25.

A BILL FOR AN ACT relating to law enforcement; to amend section 81-2009, Reissue Revised Statutes of Nebraska; to change provisions relating to the duty of the Attorney General to defend the Nebraska State Patrol; to provide procedures for agency counsel assisting the Nebraska State Patrol; and to repeal the original section.

LEGISLATIVE BILL 1185. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the Electric Cooperative Corporation Act; to amend sections 70-703, 70-704, and 70-705, Reissue Revised Statutes of Nebraska; to change provisions relating to the powers of an electric cooperative corporation; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1186. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to the Oil Pipeline Reclamation Act; to amend sections 57-1405, 76-3301, 76-3302, 76-3303, 76-3304, 76-3305, and 76-3306, Reissue Revised Statutes of Nebraska; to rename the act; to define and redefine terms; to restate legislative intent; to provide reclamation duties for pipeline carriers; to provide for reversion of an abandoned pipeline right-of-way; to provide for recovery of costs; to create a fund; to provide duties for the Department of Environment and Energy; to harmonize provisions; and to repeal the original sections.

MOTION(S) - Print in Journal

Senator Hunt filed the following motion to LB1086:
MQ128
Indefinitely postpone.

AMENDMENT(S) - Print in Journal

Senator M. Cavanaugh filed the following amendment to LB885:
AM1596
1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 38-101, Revised Statutes Supplement, 2021, is
4 amended to read:
5 38-101 Sections 38-101 to 38-1,146 and section 3 of this act and the
6 following practice acts shall be known and may be cited as the Uniform
7 Credentialing Act:
8 (1) The Advanced Practice Registered Nurse Practice Act;
9 (2) The Alcohol and Drug Counseling Practice Act;
10 (3) The Athletic Training Practice Act;
11 (4) The Audiology and Speech-Language Pathology Practice Act;
12 (5) The Certified Nurse Midwifery Practice Act;
13 (6) The Certified Registered Nurse Anesthetist Practice Act;
14 (7) The Chiropactic Practice Act;
15 (8) The Clinical Nurse Specialist Practice Act;
16 (9) The Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art Practice Act;
17 (10) The Dentistry Practice Act;
19 (11) The Dialysis Patient Care Technician Registration Act;
20 (12) The Emergency Medical Services Practice Act;
21 (13) The Environmental Health Specialists Practice Act;
22 (14) The Funeral Directing and Embalming Practice Act;
23 (15) The Genetic Counseling Practice Act;
24 (16) The Hearing Instrument Specialists Practice Act;
25 (17) The Licensed Practical Nurse-Certified Practice Act until November 1, 2017;
27 (18) The Massage Therapy Practice Act;
28 (a) The Medical Nutrition Therapy Practice Act;
29 (b) The Medical Radiography Practice Act;
30 (c) The Medicine and Surgery Practice Act;
32 (21) The Mental Health Practice Act;
33 (22) The Nurse Practice Act;
34 (23) The Nurse Practitioner Practice Act;
35 (24) The Nursing Home Administrator Practice Act;
36 (25) The Occupational Therapy Practice Act;
37 (26) The Optometry Practice Act;
38 (27) The Perfusion Practice Act;
39 (28) The Pharmacy Practice Act;
40 (29) The Physical Therapy Practice Act;
41 (30) The Podiatry Practice Act;
42 (31) The Psychology Practice Act;
43 (32) The Respiratory Care Practice Act;
44 (33) The Surgical First Assistant Practice Act; and
45 (34) The Veterinary Medicine and Surgery Practice Act.
46 If there is any conflict between any provision of sections 38-101 to 38-114 and any provision of a practice act, the provision of the 38 practice act shall prevail except as otherwise specifically provided in section 38-129.02.
47 Sec. 2. Section 38-129, Revised Statutes Cumulative Supplement, 38-129, 2020, is amended to read:
48 38-129 (1) No individual shall be issued a credential under the 38 Uniform Credentialing Act until the individual has furnished 38 satisfactory evidence to the department that the individual:
49 (a) Is of good character;
50 (b) Has attained the age of nineteen years except as otherwise provided in subsection (2) of section 3 of this act,
51 (c) Except as provided in subsection (2) of section 3 of this act,
52 (2) A credential may only be issued to (a) a citizen of the United States, (b) an alien lawfully admitted into the United States who is eligible for a credential under the Uniform Credentialing Act, (c) a nonimmigrant lawfully present in the United States who is eligible for a credential under the Uniform Credentialing Act, or (d) a person who submits (i) an unexpired employment authorization document issued by the United States Department of Homeland Security, Form I-766, and (ii) documentation issued by the United States Department of Homeland.
10 Security, the United States Citizenship and Immigration Services, or any
11 other federal agency, such as one of the types of Form I-797 used by the
12 United States Citizenship and Immigration Services, demonstrating that
13 such person is described in section 38(2)(ii) or (iii) of the
15 valid only for the period of time during which such person's employment
16 authorization document is valid.
17 Sec. 3. (1) Except as provided in subsection (2) of this section,
18 beginning with the first credential renewal period which begins on or
19 after October 1, 2023, every person holding a credential under the
20 Uniform Credentialing Act shall annually complete implicit bias training.
21 (2) This section and subdivision (1)(c) of section 38-129 do not
22 apply to persons credentialed to engaged in the practice of asbestos
23 abatement, inspection, project design, and training; athletic training;
24 body art, cosmetology, electrology, esthetics, funeral directing and
25 embalming; hearing instrument dispensing and fitting; lead-based paint
26 abatement, inspection, project design, and training; nail technology;
27 radon detection, measurement, and mitigation; or veterinary medicine and
28 surgery or to a registered environmental health specialist.
29 (3) For purposes of this section, implicit bias training means a
30 program approved by the department that is designed to expose unconscious
31 prejudices or partialities, to provide tools to adjust automatic patterns
32 of thinking, to eliminate discriminatory behaviors, and to create
33 awareness of implicit bias.
34 Sec. 4. Original section 38-129, Revised Statutes Cumulative
35 Supplement, 2020, and section 38-101, Revised Statutes Supplement, 2021,
36 are repealed.

Senator Morfeld filed the following amendment to LR14:
AM1615
1 1. Insert the following new RESOLVED clause:
2 2. The Legislature reaffirms its commitment to protecting the gun
3 rights of Nebraskans. The convention of the states shall not propose
4 amendments that could in any way result in the restriction,
5 disempowerment, or elimination of the Second Amendment.
6 2. Renumber the remaining RESOLVED clauses accordingly.

CONFLICT OF INTEREST STATEMENT

Pursuant to Rule 1, Sec. 19, Senator Wayne has filed a Potential Conflict of
Interest Statement under the Nebraska Political Accountability and
Disclosure Act. The statement is on file in the Clerk of the Legislature's
Office.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So
ordered.

Senator Hansen, M. name added to LB717.
Senator Albrecht name added to LB774.
Senator DeBoer name added to LB945.
Senator Brewer name added to LB1008.
Senator Hansen, M. name added to LB1026.
Senator Kolterman name added to LB1039.
Senator Hansen, M. name added to LB1040.

**VISITOR(S)**

Visitors to the Chamber were Nebraska Cattleman Young Cattleman Connection Class of 2022; and Nebraska Supporters of an Article V Convention of States from across Nebraska.

The Doctor of the Day was Dr. Jason Bespalec of Geneva.

**ADJOURNMENT**

At 12:15 p.m., on a motion by Senator Hughes, the Legislature adjourned until 9:00 a.m., Thursday, January 20, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
TENTH DAY - JANUARY 20, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

TENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 20, 2022

PRAYER

The prayer was offered by Senator Erdman.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Clements.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Hughes presiding.

The roll was called and all members were present except Senators Blood and Dorn who was excused; and Senators Albrecht, Bostar, B. Hansen, M. Hansen, McCollister, Walz, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the ninth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

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LB1078 Education
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LB1080 Revenue
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LB1082 Natural Resources
LB1083 Business and Labor
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LB1085 Appropriations

Baxter, Nicholas - Nebraska Educational Telecommunications Commission
- Education
DeFusco, Richard A. - Nebraska Investment Council - Nebraska Retirement Systems
Good, Darrin Scott - Nebraska Educational Telecommunications Commission - Education
Hotz, Robert W. - Tax Equalization and Review Commission - Revenue
Peck, Bridget Troxel - Nebraska Power Review Board - Natural Resources

(Signed) Dan Hughes, Chairperson
Executive Board
NOTICE OF COMMITTEE HEARING(S)
Transportation and Telecommunications
Room 1113 1:30 PM

Tuesday, January 18, 2022
LB757 (cancel)

(Signed) Curt Friesen, Chairperson

BILLS ON FIRST READING

The following bills were read for the first time by title:

**LEGISLATIVE BILL 1187.** Introduced by Flood, 19.

A BILL FOR AN ACT relating to banking and finance; to amend sections 1-201, 9-102, 9-107A, 9-301, 9-310, 9-312, 9-314, 9-331, 9-406, 12-101, 12-101A, 12-102, 12-103, 12-104, 12-105, 12-106, 12-107, 12-108, and 12-109, Uniform Commercial Code, Revised Statutes Supplement, 2021; to change provisions relating to controllable electronic records; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1188.** Introduced by Flood, 19.

A BILL FOR AN ACT relating to personal data; to adopt the Uniform Personal Data Protection Act; to provide an operative date; and to provide severability.

**LEGISLATIVE BILL 1189.** Introduced by Flood, 19.

A BILL FOR AN ACT relating to sanitary drainage districts; to amend sections 31-538, 31-539, 31-540, 31-541, and 77-2704.15, Reissue Revised Statutes of Nebraska, and section 16-6,109, Revised Statutes Cumulative Supplement, 2020; to provide for distribution of funds and property and provide liability for debts and obligations upon discontinuance of certain districts as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1190.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Medicare Supplement Insurance Minimum Standards Act; to amend section 44-3601, Reissue Revised Statutes of Nebraska; to change provisions relating to requirements for issuers of medicare supplement insurance policies or certificates and coverage of individuals under sixty-five years of age who are eligible for medicare by reason of disability; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 1191.** Introduced by Brewer, 43.
A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Commission on Indian Affairs; and to declare an emergency.

**LEGALISLATIVE BILL 1192.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to children and families; to amend sections 42-357, 43-2920, and 43-2929, Reissue Revised Statutes of Nebraska; to provide for a temporary injunction upon filing for dissolution of marriage or legal separation; to provide for a presumption of joint legal custody and equal parenting time; to provide for sanctions for misconduct by a party; to require the filing of reports; to provide duties for the State Court Administrator; and to repeal the original sections.

**LEGALISLATIVE BILL 1193.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to provide limitations on appropriations of federal funds; and to declare an emergency.

**LEGALISLATIVE BILL 1194.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Public Service Commission; and to declare an emergency.

**LEGALISLATIVE BILL 1195.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

**LEGALISLATIVE BILL 1196.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

**LEGALISLATIVE BILL 1197.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Correctional Services.

**LEGALISLATIVE BILL 1198.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the State Department of Education; and to declare an emergency.

**LEGALISLATIVE BILL 1199.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal
funds to the Department of Administrative Services; and to declare an emergency.

GENERAL FILE

LEGISLATIVE BILL 496A. Senator Hunt withdrew her amendments, AM1397, AM1398, and AM1399, found on page 1406, First Session, 2021.

Senator Hil kemann offered his amendment, AM1580, found on page 302.

Senator Hil kemann moved for a call of the house. The motion prevailed with 23 ayes, 1 nay, and 25 not voting.

The Hil kemann amendment was adopted with 25 ayes, 2 nays, 15 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review Initial with 28 ayes, 7 nays, 9 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

BILL S ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1200. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to civil actions; to amend sections 13-902, 13-903, 13-920, 81-8,209, 81-8,210, and 81-8,229, Reissue Revised Statutes of Nebraska, and section 25-228, Revised Statutes Cumulative Supplement, 2020; to adopt the State and Political Subdivisions Child Sexual Abuse Liability Act; to change provisions relating to a statute of limitations for actions by child sexual abuse victims; to exempt actions from the Political Subdivisions Tort Claims Act and the State Tort Claims Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1201. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 1202. Introduced by Day, 49.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1203. Introduced by Briese, 41.
A BILL FOR AN ACT relating to appropriations; to appropriate funds for child care.

LEGISLATIVE BILL 1204. Introduced by Briese, 41.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-101, 53-123.12, 53-124.12, 53-131.01, 53-132, 53-135, 53-148.01, and 53-180.04, Reissue Revised Statutes of Nebraska; to change provisions relating to application forms and delivery methods for licenses and warning signs; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1205. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to the Nebraska State Historical Society; to create a fund; to provide powers and duties to the Nebraska State Historical Society; and to provide for the development of the Ernie Chambers History-Arts-Humanities Museum.


A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Board of Trustees of the Nebraska State Colleges; and to declare an emergency.

LEGISLATIVE BILL 1207. Introduced by Groene, 42.

A BILL FOR AN ACT relating to school funding; to amend sections 77-1391 and 79-1082, Reissue Revised Statutes of Nebraska, sections 77-3446, 79-1001, 79-1005.01, 79-1009, 79-1016, 79-1017.01, 79-1022, 79-1098, 79-10,100, 79-10,101, 79-10,120, and 79-10,126, Revised Statutes Cumulative Supplement, 2020, and sections 77-201, 77-3442, and 77-5023, Revised Statutes Supplement, 2021; to change provisions relating to property tax valuations and levies and the base limitation; to change provisions relating to the Tax Equity and Educational Opportunities Support Act; to provide powers and duties to the Tax Commissioner relating to foundation aid calculations to be paid to local school systems; to change provisions relating to certain school taxes and school funds; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1208. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to telecommunications; to adopt the Broadband Pole Replacement Fund Act; to create a fund; to state intent for appropriation of federal funds; and to declare an emergency.

LEGISLATIVE BILL 1209. Introduced by Linehan, 39.
A BILL FOR AN ACT relating to sales and use taxes; to amend sections 77-2701, 77-2701.04, 77-2701.41, 77-2711, 77-2713, and 77-27,223, Revised Statutes Supplement, 2021; to change provisions relating to purchasing agents; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1210. Introduced by Slama, 1.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1211. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to education; to amend sections 79-237, 79-238, 79-10,143, and 79-2110, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to option enrollment; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1212. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to education; to amend section 79-1110, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the Special Education Act and individualized education plans; and to repeal the original section.

LEGISLATIVE BILL 1213. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to obscenity; to provide powers and duties to school districts, schools, and the Nebraska Library Commission relating to digital or online resources provided to students in kindergarten through grade twelve and access to materials obscene as to minors or harmful to minors; to require the Nebraska Library Commission and the State Department of Education to submit a report; to provide a civil cause of action; to provide an irrebuttable presumption that a vendor, person, or entity providing resources under this act has knowledge of the content provided; and to define terms.

LEGISLATIVE BILL 1214. Introduced by Geist, 25.

A BILL FOR AN ACT relating to the Nebraska Broadband Bridge Act; to amend sections 86-1301, 86-1306, and 86-1308, Revised Statutes Supplement, 2021; to change provisions relating to grant application scoring and grant recipient conditions and obligations; to provide applicability; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1215. Introduced by Geist, 25.

A BILL FOR AN ACT relating to economic development; to adopt the
Small Business Assistance Act.

**LEGISLATIVE BILL 1216.** Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the Nebraska Probate Code; to amend sections 30-2627 and 30-2639, Reissue Revised Statutes of Nebraska; to change provisions relating to eligibility to be appointed as a guardian or as a conservator of an estate; and to repeal the original sections.

**LEGISLATIVE BILL 1217.** Introduced by Walz, 15; Day, 49; Morfeld, 46; Pansing Brooks, 28.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Administrative Services for incentive payments to eligible school employees; and to declare an emergency.

**LEGISLATIVE BILL 1218.** Introduced by Education Committee: Walz, 15, Chairperson; Day, 49; McKinney, 11; Morfeld, 46; Pansing Brooks, 28.

A BILL FOR AN ACT relating to education; to amend sections 79‑806 and 79-810, Reissue Revised Statutes of Nebraska, and sections 79-807 and 79-8,137, Revised Statutes Cumulative Supplement, 2020; to change intent provisions relating to requirements to teach, provide special services, and administer in Nebraska schools; to redefine terms; to change fees for certificates and permits; to change provisions relating to loan forgiveness under the Attracting Excellence to Teaching Program; and to repeal the original sections.

**LEGISLATIVE BILL 1219.** Introduced by Sanders, 45.

A BILL FOR AN ACT relating to education; to adopt the Extended Learning Opportunities Act; and to provide an operative date.

**SELECT FILE**

**LEGISLATIVE RESOLUTION 14.** Senator McCollister offered his amendment, **AM1555**, found on page 276.

Senator McCollister withdrew his amendment.

Pending.

**BILLS ON FIRST READING**

The following bills were read for the first time by title:

**LEGISLATIVE BILL 1220.** Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the State Department of Education; and to declare an emergency.
LEGISLATIVE BILL 1221. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.


A BILL FOR AN ACT relating to mobile homes; to amend sections 60-149, 60-166, 60-192, 76-1450, 76-1451, 76-1494, 76-1495, 76-14,104, 76-14,105, 76-14,106, and 76-14,109, Reissue Revised Statutes of Nebraska; to change and eliminate provisions under the Mobile Home Landlord and Tenant Act relating to rules and regulations, prohibited acts, termination of tenancy, landlord remedies, retaliatory conduct, and abandonment; to provide for in-park sales; to create liens for landlords as prescribed and provide for certificates of title, priority, enforcement, and challenges; to provide for applicability; to define terms; to harmonize provisions; to repeal the original sections; and to outright repeal section 76-14,101, Revised Statutes Supplement, 2021.

LEGISLATIVE BILL 1223. Introduced by Hansen, M., 26; Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to amend section 83-338, Reissue Revised Statutes of Nebraska, and section 29-1823, Revised Statutes Cumulative Supplement, 2020; to require the Department of Health and Human Services to reimburse counties for lodging certain defendants and provide duties for the department; to change priorities for admission to state hospitals; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1224. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1225. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2734.04 and 77-3802, Reissue Revised Statutes of Nebraska; to eliminate the franchise tax on financial institutions; to make financial institutions subject to the corporate income tax; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1226. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to real estate sold for delinquent property
taxes; to amend section 77-1902, Reissue Revised Statutes of Nebraska, and sections 18-3417, 77-1832, and 77-1837, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to land banks, service of notice, and the time periods for applying for a tax deed and for bringing certain foreclosure actions; and to repeal the original sections.

LEGISLATIVE BILL 1227. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Nebraska Municipal Land Bank Act; to amend section 18-3407, Revised Statutes Cumulative Supplement, 2020; to allow land banks to receive federal funds as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1228. Introduced by Wayne, 13; Brewer, 43.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Nebraska Tourism Commission for purposes of a museum.

LEGISLATIVE BILL 1229. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1230. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to the Nebraska Health Care Cash Fund; to amend section 71-7611, Revised Statutes Supplement, 2021; to provide for a statewide education program regarding cancer; to state intent regarding funding; and to repeal the original section.

LEGISLATIVE BILL 1231. Introduced by Briese, 41.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-101 and 53-103, Reissue Revised Statutes of Nebraska; to define a term; to require a licensed manufacturer, a licensed wholesaler, or a holder of a shipping license to submit a report and any applicable fees to the Nebraska Liquor Control Commission prior to the sale or shipment of any alcoholic liquor into the state; and to repeal the original sections.

LEGISLATIVE BILL 1232. Introduced by McDonnell, 5; Sanders, 45.

A BILL FOR AN ACT relating to appropriations; to amend section 84-612, Revised Statutes Supplement, 2021; to appropriate funds from the Cash Reserve Fund to the Department of Economic Development; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1233. Introduced by Sanders, 45; Albrecht, 17; Brewer, 43; Flood, 19; Gragert, 40; Halloran, 33; Linehan, 39; Lowe, 37;
McDonnell, 5; Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to amend section 55-801, Reissue Revised Statutes of Nebraska, and section 84-612, Revised Statutes Supplement, 2021; to rename and change provisions relating to the United States Space Command Headquarters Assistance Fund; to change a transfer from the Cash Reserve Fund; to state intent to appropriate funds to the Commission on Military and Veteran Affairs; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1234. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to telecommunications; to amend section 86-164, Reissue Revised Statutes of Nebraska; to provide for an expedited wire-crossing permit relating to a railroad right-of-way as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1235. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-123.14, Reissue Revised Statutes of Nebraska; to define a term; to change provisions relating to craft breweries; to allow for self-distribution of beer under certain circumstances; and to repeal the original section.

LEGISLATIVE BILL 1236. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-123.14, Reissue Revised Statutes of Nebraska; to change provisions relating to the rights of a craft brewery licensee; and to repeal the original section.

LEGISLATIVE BILL 1237. Introduced by Brewer, 43; Albrecht, 17; Linehan, 39; Murman, 38.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2717 and 77-2734.03, Revised Statutes Cumulative Supplement, 2020, and section 77-2715.07, Revised Statutes Supplement, 2021; to adopt the Opportunity Scholarships Act and the Nebraska Child Care Contribution Tax Credit Act; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 1238. Introduced by Vargas, 7; McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 1239. Introduced by Vargas, 7.
A BILL FOR AN ACT relating to liquor; to amend sections 53-103.14, 53-103.40, 53-123.03, 53-123.09, 53-201, 53-204, 53-211, 53-218, and 53-223, Reissue Revised Statutes of Nebraska; to redefine terms; to change provisions relating to agreements between manufacturers and wholesalers and beer suppliers and beer wholesalers; to harmonize provisions; to eliminate a provision prohibiting a wholesaler from waiving certain rights; to repeal the original sections; and to outright repeal section 53-221, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1240. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the State Department of Education; and to declare an emergency.

LEGISLATIVE BILL 1241. Introduced by Lathrop, 12; Hilgers, 21; Pansing Brooks, 28.

A BILL FOR AN ACT relating to law enforcement training; to amend sections 81-1401, 81-1414, 81-1414.07, and 81-1414.13, Revised Statutes Supplement, 2021; to change provisions relating to law enforcement officer training and certification; to provide duties for the Nebraska Police Standards Advisory Council; to define a term; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1242. Introduced by Murman, 38.

A BILL FOR AN ACT relating to property taxes; to amend section 79-1036, Revised Statutes Cumulative Supplement, 2020, and sections 77-201 and 77-5023, Revised Statutes Supplement, 2021; to change the valuation of certain real property for purposes of taxes levied by school districts; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1243. Introduced by Murman, 38.

A BILL FOR AN ACT relating to the Developmental Disabilities Services Act; to amend sections 83-1216 and 83-1216.02, Revised Statutes Cumulative Supplement, 2020; to change a funding priority; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1244. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-3001, Reissue Revised Statutes of Nebraska; to change provisions relating to limitations for a postconviction relief action; and to repeal the original section.

LEGISLATIVE BILL 1245. Introduced by Cavanaugh, J., 9.
A BILL FOR AN ACT relating to children and families; to amend sections 42-364.17, 42-381, 43-247, 43-1401, 43-1402, 43-1404, 43-1405, 43-1406, 43-1407, 43-1408.01, 43-1409, 43-1410, 43-1412, 43-1412.01, 43-1414, 43-1415, 43-1802, 43-2935, 43-3320, 43-3340, 71-601.01, 71-604, 71-604.03, 71-617.04, 71-628, 71-630, 71-640, 71-640.01, 71-640.02, 71-640.03, 71-640.04, and 71-641, Reissue Revised Statutes of Nebraska, and sections 24-517, 25-2740, 25-2742, 29-3922, 33-107.02, 43-246.02, 43-1411, 43-1411.01, 43-1611, 43-1412, 43-1412.01, 43-1414, 43-1415, 43-1802, 43-2935, 43-3320, 43-3340, 71-601.01, 71-604, 71-604.03, 71-617.04, 71-628, 71-630, 71-640, 71-640.01, 71-640.02, 71-640.03, 71-640.04, and 71-641, Reissue Revised Statutes of Nebraska, and sections 79-2,144 and 84-712.05, Revised Statutes Supplement, 2021; to provide for confidentiality of victims of sexual assault and sex trafficking prior to the filing of criminal charges; to define terms; to change provisions relating to public records; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1246. Introduced by Pansing Brooks, 28; Albrecht, 17; Geist, 25; Linehan, 39; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to criminal procedure; to amend section 55-182, Reissue Revised Statutes of Nebraska, and sections 79-2,144 and 84-712.05, Revised Statutes Supplement, 2021; to provide for confidentiality of victims of sexual assault and sex trafficking prior to the filing of criminal charges; to define terms; to change provisions relating to public records; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1247. Introduced by Pansing Brooks, 28; Brewer, 43.

A BILL FOR AN ACT relating to civil commitment; to amend sections 71-901, 71-903, 71-910, 71-912, 71-919, 71-920, 71-926, 71-929, 71-1201, 71-1203, 71-1204, 71-1206, 71-1210, 71-1213, 83-338, 83-372, 83-374, 83-376, and 83-380, Reissue Revised Statutes of Nebraska, and section 83-364, Revised Statutes Supplement, 2021; to provide for recognition of tribal mental health and dangerous sex offender commitment orders as prescribed; to provide for tribal law enforcement officers to take a subject into emergency protective custody; to provide for transportation of and commitment of persons committed under tribal law and for payment of related costs; to define and redefine terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1248. Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Environment and Energy; and to declare an emergency.

LEGISLATIVE BILL 1249. Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to the Medical Nutrition Therapy Practice Act; to amend sections 38-1801, 38-1802, 38-1803, 38-1806, 38-1807,
38-1808, 38-1809, 38-1810, 38-1811, 38-1812, and 38-1816, Reissue Revised Statutes of Nebraska, and section 38-1813, Revised Statutes Supplement, 2021; to provide, change, and eliminate definitions; to restate intent; to change membership on a board; to provide and change licensure requirements; to change provisions regarding the scope of practice; to harmonize provisions; to repeal the original sections; and to outright repeal section 38-1804, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 1250.** Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to the Property Tax Request Act; to amend sections 77-1633 and 77-1634, Revised Statutes Supplement, 2021; to change provisions relating to joint public hearings, postcards, and the effect of certain failures to comply with the act; and to repeal the original sections.

**LEGISLATIVE BILL 1251.** Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to education; to amend section 9-812, Revised Statutes Supplement, 2021; to adopt the Equal Opportunity Scholarship for Students with Special Needs Program Act; to change provisions relating to the distribution of lottery funds; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 1252.** Introduced by Vargas, 7.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Economic Development; and to declare an emergency.

**SELECT FILE**

**LEGISLATIVE RESOLUTION 14.** Senator M. Hansen withdrew his amendment, AM1538, found on page 270 and refiled on page 276.

Senator Morfeld withdrew his amendment, AM1615, found on page 369.

Senator DeBoer offered the following amendment:

**FA63**

4. This application will be rescinded as of February 1, 2027.

The DeBoer amendment was adopted with 32 ayes, 0 nays, 13 present and not voting, and 4 excused and not voting.

Senator M. Hansen requested a roll call vote on the advancement of the resolution.

Senator Halloran moved for a call of the house. The motion prevailed with 31 ayes, 4 nays, and 14 not voting.
Senator Halloran requested the roll call vote be taken in reverse order on the advancement of the resolution.

Voting in the affirmative, 32:

Arch  DeBoer  Hansen, B.  Lowe  Stinner
Bostar  Erdman  Hilgers  McDonnell  Vargas
Bostelman  Flood  Hilkemann  Moser  Wayne
Brandt  Friesen  Hughes  Murman  Williams
Brewer  Geist  Kolterman  Pahls
Briese  Gragert  Lindstrom  Sanders
Clements  Halloran  Linehan  Slama

Voting in the negative, 8:

Albrecht  Hansen, M.  Lathrop  Morfeld
Cavanaugh, M.  Hunt  McCollister  Pansing Brooks

Present and not voting, 5:

Aguilar  Cavanaugh, J.  Day  McKinney  Walz

Excused and not voting, 4:

Blood  Dorn  Groene  Wishart

Advanced to Enrollment and Review for Engrossment with 32 ayes, 8 nays, 5 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

**BILLS ON FIRST READING**

The following bills were read for the first time by title:

**LEGISLATIVE BILL 1253.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Department of Economic Development; to provide duties relating to the federal Coronavirus Capital Projects Fund; and to declare an emergency.

**LEGISLATIVE BILL 1254.** Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

**LEGISLATIVE BILL 1255.** Introduced by Bostar, 29; Flood, 19.
A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the University of Nebraska.

LEGISLATIVE BILL 1256. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to libraries; to amend sections 51-202, 51-204, 51-211, and 51-213, Reissue Revised Statutes of Nebraska; to change provisions relating to public libraries; to require the election of library board members of a city of the metropolitan class; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1257. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Transportation; and to declare an emergency.

LEGISLATIVE BILL 1258. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to motor vehicles; to adopt the Peer-to-Peer Vehicle Sharing Program Act; and to provide an operative date.

LEGISLATIVE BILL 1259. Introduced by Geist, 25.

A BILL FOR AN ACT relating to license plates; to amend sections 60-3,101 and 60-3,102, Reissue Revised Statutes of Nebraska; to change provisions relating to license plates; to eliminate an obsolete provision; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1260. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to guardianship and conservatorship; to amend sections 30-4101, 30-4106, 30-4109, 30-4112, and 30-4205, Reissue Revised Statutes of Nebraska; to change membership of the Advisory Council on Public Guardianship; to provide duties for the Public Guardian; to provide for an application process; to change provisions relating to appointment of the Public Guardian and duties of guardian ad litems; to harmonize provisions; and to repeal the original sections.

SPEAKER HILGERS PRESIDING

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 685. Placed on Select File.

(Signed) Terrell McKinney, Chairperson
NOTICE OF COMMITTEE HEARING(S)
Revenue
Room 1524 1:30 PM

Thursday, January 27, 2022
LB926
LB740
LB938
LB939
LB832

(Signed) Lou Ann Linehan, Chairperson

Natural Resources
Room 1525 1:30 PM

Thursday, January 27, 2022
LB1047
LB1046
LB736

Friday, January 28, 2022
LB806
LB924
LB1058

(Signed) Bruce Bostelman, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:
Murman - LB723

AMENDMENT(S) - Print in Journal

Senator Morfeld filed the following amendment to LB1129: AM1616

1 1. On page 2, line 3, strike "woman" and insert "person".

MOTION(S) - Print in Journal

Senator Friesen filed the following motion to LB911: MO130
Suspend Rule 3, Section 14, to permit cancellation of a hearing by the Transportation and Telecommunications Committee.
SELECT FILE

LEGISLATIVE BILL 310. ER99, found on page 341, was adopted.

Senator Clements offered the following amendment:

AM1623

(Amendments to Standing Committee amendments, AM635)
1. On page 1, lines 13 and 16; and page 2, lines 8, 11, 23, and 26,
2 strike "2022" and insert "2023".
3. On page 3, strike beginning with "On" in line 6 through the colon
4 in line 11 and insert "Each personal representative of an estate shall,
5 upon the distribution of any proceeds from an estate, submit a report
6 regarding inheritance taxes to the county treasurer of the county in
7 which the estate was administered. On or before July 1, 2023, and on or
8 before July 1 of each year thereafter, the county treasurer of each
9 county shall compile and submit a report regarding inheritance taxes to
10 the Department of Revenue. The reports shall be submitted on a form
11 prescribed by the Department of Revenue and shall include the following
12 information:".

The Clements amendment was adopted with 38 ayes, 0 nays, 7 present and
not voting, and 4 excused and not voting.

Senator DeBoer offered the following amendment:

AM1624

(Amendments to Standing Committee amendments, AM635)
1. Insert the following new section:
2 Sec. 3. Section 77-2005.01, Reissue Revised Statutes of Nebraska, is
3 amended to read:
4 77-2005.01 (1) For the purposes of sections 77-2004 and 77-2005,
5 relatives of the decedent shall include;
6 (a) Relatives relatives of a former spouse to whom the decedent was
7 married at the time of the death of the former spouse and relatives of a
8 spouse to whom the decedent was married at the time of his or her death;
9 and -
10 (b) Relatives of a spouse or former spouse of the decedent's parent,
11 grandparent, child, sibling, uncle, aunt, niece, or nephew, if the
12 decedent's parent, grandparent, child, sibling, uncle, aunt, niece, or
13 nephew was married to the spouse at the date of death of the decedent or
14 at the date of death of such spouse.
15 (2) The computation of any tax due pursuant to sections 77-2004,
16 77-2005, and 77-2006 shall be made without regard to Nebraska inheritance
17 tax apportionment.
18 2. On page 3, line 24, strike "4" and insert "5"; and in line 26,
19 after "77-2005," insert "77-2005.01, ".
20 3. Renumber the remaining sections accordingly.

The DeBoer amendment was adopted with 38 ayes, 1 nay, 6 present and not
voting, and 4 excused and not voting.

Senator Erdman requested a record vote on the advancement of the bill.

Voting in the affirmative, 34:
Voting in the negative, 3:

Cavanaugh, M. Erdman Hunt

Present and not voting, 8:

Cavanaugh, J. DeBoer Lathrop Morfeld
Day Geist McKinney Slama

Excused and not voting, 4:

Blood Brewer Dorn Groene

Advanced to Enrollment and Review for Engrossment with 34 ayes, 3 nays, 8 present and not voting, and 4 excused and not voting.

SENATOR CLEMENTS PRESIDING

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1261. Introduced by Murman, 38; Brandt, 32.

A BILL FOR AN ACT relating to the Nebraska Advantage Rural Development Act; to amend sections 77-27,187.02 and 77-27,188, Reissue Revised Statutes of Nebraska; to change provisions relating to limitations on tax credits; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1262. Introduced by Murman, 38; Brandt, 32; Gragert, 40; Lowe, 37; McCollister, 20; McDonnell, 5.

A BILL FOR AN ACT relating to recreation areas; to adopt the Recreation Area Assistance Act; and to state intent regarding appropriation of federal funds.

LEGISLATIVE BILL 1263. Introduced by Clements, 2; Albrecht, 17; Arch, 14; Brewer, 43; Erdman, 47; Lowe, 37; Moser, 22; Murman, 38; Sanders, 45; Slama, 1.
A BILL FOR AN ACT relating to the Election Act; to amend section 32-1049, Reissue Revised Statutes of Nebraska, and section 32-101, Revised Statutes Cumulative Supplement, 2020; to provide for secure ballot drop-boxes as prescribed; to change requirements for using a vote counting device; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1264. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2004, 77-2005, 77-2006, 77-2704.09, 77-2715.03, and 77-5803, Reissue Revised Statutes of Nebraska, section 77-2716.01, Revised Statutes Cumulative Supplement, 2020, and sections 77-382, 77-2701.16, 77-2716, and 77-2734.02, Revised Statutes Supplement, 2021; to eliminate inheritance taxes; to impose sales and use taxes on certain services; to eliminate and change certain sales and use tax exemptions; to change provisions relating to income tax brackets and rates, standard deductions, and itemized deductions; to state legislative intent relating to tax incentive programs and student loan relief; to provide an operative date; to repeal the original sections; and to outright repeal sections 77-2704.05, 77-2704.25, and 77-2704.67, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1265. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to income taxes; to amend section 77-2716, Revised Statutes Supplement, 2021; to provide an income tax deduction for certain law enforcement officers; and to repeal the original section.

LEGISLATIVE BILL 1266. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to the Public Service Commission; to amend section 75-126, Reissue Revised Statutes of Nebraska; to provide an unjust discrimination exception for common carriers as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1267. Introduced by Vargas, 7; Aguilar, 35; Brewer, 43; Cavanaugh, J., 9; Cavanaugh, M., 6; Hansen, M., 26; Hilkemann, 4; McKinney, 11; Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for health equity liaisons; and to declare an emergency.

LEGISLATIVE BILL 1268. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to the State Lottery Act; to amend section 9-829, Reissue Revised Statutes of Nebraska; to remove the prohibition that a lottery ticket cannot be sold through a vending or dispensing device; and to repeal the original section.
LEGISLATIVE BILL 1269. Introduced by Murman, 38; Clements, 2; Lowe, 37.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 1270. Introduced by Clements, 2; McDonnell, 5.

A BILL FOR AN ACT relating to law enforcement officers; to adopt the Law Enforcement Attraction and Retention Act.

LEGISLATIVE BILL 1271. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to law enforcement; to adopt the Law Enforcement Marketing Act.

LEGISLATIVE BILL 1272. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to law enforcement officers; to amend section 85-2603, Revised Statutes Cumulative Supplement, 2020, and section 77-2715.07, Revised Statutes Supplement, 2021; to provide an income tax credit based on years of service; to change provisions relating to a waiver of tuition; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1273. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to income taxes; to amend section 77-2716, Revised Statutes Supplement, 2021; to provide an income tax deduction to retired law enforcement officers for health insurance premiums; and to repeal the original section.

LEGISLATIVE BILL 1274. Introduced by Flood, 19; Brandt, 32; Friesen, 34; Gragert, 40; Kolterman, 24; Moser, 22.

A BILL FOR AN ACT relating to roads; to require the Department of Transportation to plan, design, and purchase rights-of-way for U.S. Highway 81 and Nebraska Highway 20; and to declare legislative intent to appropriate funds.

LEGISLATIVE BILL 1275. Introduced by Groene, 42.

A BILL FOR AN ACT relating to cannabis; to amend sections 28-439, 60-6,211.08, 77-2701.48, 77-2704.09, and 77-4303, Reissue Revised Statutes of Nebraska, sections 28-416 and 71-2454, Revised Statutes Cumulative Supplement, 2020, and section 77-27,132, Revised Statutes Supplement, 2021; to adopt the Medicinal Cannabis Act; to provide civil and criminal penalties; to create a fund; to change provisions relating to
controlled substances, open containers, and taxation; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1276.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to civil actions; to amend sections 13-902, 13-903, 13-920, 81-8,209, 81-8,210, and 81-8,229, Reissue Revised Statutes of Nebraska; to provide for civil actions against law enforcement officers who commit misconduct and exempt such actions from the Political Subdivisions Tort Claims Act and the State Tort Claims Act; to provide for a civil penalty; to define a term; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1277.** Introduced by Clements, 2; Brandt, 32; Geist, 25; Hansen, M., 26; Morfeld, 46; Pansing Brooks, 28.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 279.** Introduced by Pahls, 31.

PURPOSE: The office of Public Counsel, also known as the State Ombudsman's Office, serves the Legislature and the people of Nebraska by independently and impartially investigating issues related to state agencies and employees. The office conducts investigations and works in many areas. Within the office are the office of Inspector General of Nebraska Child Welfare and the office of Inspector General of the Nebraska Correctional System.

The purpose of this study is to examine ways to further support the mission of the office of Public Counsel. The study shall include, but not be limited to, an examination of the organization and structure of the office of Public Counsel while the office transitions to the leadership of a new Public Counsel.

In examining these issues the study committee should seek testimony from stakeholders and the public.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Executive Board of the Legislative Council shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the board shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.
Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 280.** Introduced by Pansing Brooks, 28; Aguilar, 35; Albrecht, 17; Arch, 14; Brandt, 32; Brewer, 43; Briese, 41; Cavanaugh, J., 9; Cavanaugh, M., 6; DeBoer, 10; Friesen, 34; Geist, 25; Gragert, 40; Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hilkemann, 4; Hunt, 8; Kolterman, 24; Lathrop, 12; Linehan, 39; Lowe, 37; McCollister, 20; McDonnell, 5; Morfeld, 46; Murman, 38; Pahls, 31; Sanders, 45; Slama, 1; Stinner, 48; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, the Legislature recognizes the history of Native American boarding schools in the United States and specifically, Nebraska, wherein Native American children were often sent far away from their families and communities involuntarily, which left them particularly vulnerable and dependent upon the boarding school system to protect them from harm; and

WHEREAS, these children observed and suffered physical, emotional, cultural, spiritual, psychological, and sexual abuse, and punishment by physical restraints, beatings, and isolation in inhospitable surroundings; and

WHEREAS, these children, their children, and now their grandchildren and great-grandchildren, bear the burden of the legacy of the boarding schools and the policies that established and sustained those schools, where the children suffered trauma that had gone unrecognized and unresolved, and has been passed onto each subsequent generation; and

WHEREAS, this historical and intergenerational trauma continues to devastate, undermine, and negatively impact Native American individuals, families, and communities; and

WHEREAS, the Indian Industrial School at Genoa operated between 1884 and 1934 as the fourth largest non-reservation boarding school established by the United States Office of Indian Affairs with a peak of five hundred ninety-nine attending in a single year; and

WHEREAS, at least eighty-six students died at the school many of whom are still unnamed, the Legislature hears the voice of the Native American boarding school survivors and desires to recognize the atrocities caused by Native American boarding schools in the hope that it will aid in the journey towards healing for all.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the survivors of the Genoa Industrial School and other boarding schools in the state along with their families and communities are hereby acknowledged.
2. That the Legislature hereby declares February 20 as an annual day of remembrance to recognize the atrocities and trauma that have been endured by the survivors, their families, and their communities and to celebrate their courage, strength, and resiliency.

Laid over.

**LEGISLATIVE RESOLUTION 281CA.** Introduced by Murman, 38.
THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE
OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2022, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VIII, section 1:

VIII-1 The necessary revenue of the state and its governmental subdivisions shall be raised by taxation in such manner as the Legislature may direct. Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 4, of this Constitution or any other provision of this Constitution to the contrary: (1) Taxes shall be levied by valuation uniformly and proportionately upon all real property and franchises as defined by the Legislature except as otherwise provided in or permitted by this Constitution; (2) tangible personal property, as defined by the Legislature, not exempted by this Constitution or by legislation, shall all be taxed at depreciated cost using the same depreciation method with reasonable class lives, as determined by the Legislature, or shall all be taxed by valuation uniformly and proportionately; (3) the Legislature may provide for a different method of taxing motor vehicles and may also establish a separate class of motor vehicles consisting of those owned and held for resale by motor vehicle dealers which shall be taxed in the manner and to the extent provided by the Legislature and may also establish a separate class for trucks, trailers, semitrailers, truck-tractors, or combinations thereof, consisting of those owned by residents and nonresidents of this state, and operating in interstate commerce, and may provide reciprocal and proportionate taxation of such vehicles. The tax proceeds from motor vehicles taxed in each county shall be allocated to the county and the cities, villages, and school districts of such county; (4) the Legislature may provide that agricultural land and horticultural land, as defined by the Legislature, shall constitute a separate and distinct class of property for purposes of taxation and may provide for a different method of taxing agricultural land and horticultural land which results in values that are not uniform and proportionate with all other real property and franchises but which results in values that are uniform and proportionate upon all property within the class of agricultural land and horticultural land; (5) the Legislature may enact laws to provide that the value of land actively devoted to agricultural or horticultural use shall for property tax purposes be that value which such land has for agricultural or horticultural use without regard to any value which such land might have for other purposes or uses; (6) the Legislature may prescribe standards and methods for the determination of the value of real property at uniform and proportionate values; (7) in furtherance of the purposes for which such a law of the United States has been adopted, whenever there exists a law of the United States which is intended to protect a specifically designated type, use, user, or owner of property or franchise from discriminatory state or local taxation, such property or franchise shall constitute a separate class of property or franchise under the laws of the State of Nebraska, and such property or franchise may not be taken into consideration in determining whether taxes are levied by valuation
uniformly or proportionately upon any property or franchise, and the Legislature may enact laws which statutorily recognize such class and which tax or exempt from taxation such class of property or franchise in such manner as it determines; and (8) the Legislature may provide that livestock shall constitute a separate and distinct class of property for purposes of taxation and may further provide for reciprocal and proportionate taxation of livestock located in this state for only part of a year; and (9) the Legislature may provide that commercial real property, as defined by the Legislature, shall constitute a separate and distinct class of property for purposes of taxation and may provide for a different method of taxing commercial real property which results in values that are not uniform and proportionate with all other real property and franchises but which results in values that are uniform and proportionate upon all property within the class of commercial real property. Each actual property tax rate levied for a governmental subdivision shall be the same for all classes of taxed property and franchises. Taxes uniform as to class of property or the ownership or use thereof may be levied by valuation or otherwise upon classes of intangible property as the Legislature may determine, and such intangible property held in trust or otherwise for the purpose of funding pension, profit-sharing, or other employee benefit plans as defined by the Legislature may be declared exempt from taxation. Taxes other than property taxes may be authorized by law. Existing revenue laws shall continue in effect until changed by the Legislature.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment authorizing the Legislature to treat commercial real property as a separate and distinct class for purposes of taxation and to provide for a different method of taxing commercial real property which results in values that are not uniform and proportionate with all other real property.

For
Against.

LEGISLATIVE RESOLUTION 282CA. Introduced by Slama, 1.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2022 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 7:

III-7 At the general election to be held in November 1964, one-half the members of the Legislature, or as nearly thereto as may be practicable, shall be elected for a term of four years and the remainder for a term of two years, and thereafter all members shall be elected for a term of four years, with the manner of such election to be determined by the Legislature. When the Legislature is redistricted, the members elected prior to the redistricting shall continue in office, and the law providing for such redistricting shall
where necessary specify the newly established district which they shall represent for the balance of their term. Each member shall be nominated and elected in a nonpartisan manner and without any indication on the ballot that he or she is affiliated with or endorsed by any political party or organization. Each member of the Legislature shall receive a salary of not to exceed one thousand dollars per month during the term of his or her office. In addition to his or her salary, each member shall receive an amount equal to his or her actual expenses in traveling by the most usual route once to and returning from each regular or special session of the Legislature. Members of the Legislature shall receive no compensation other than their salary or per diem.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to authorize any city, county, or other political subdivision owning or operating an airport to expend its revenues for the public purpose of developing or encouraging the development of new or expanded regularly scheduled commercial passenger air service at such airport.

For

Against.

LEGISLATIVE RESOLUTION 283CA. Introduced by Bostar, 29; Aguilar, 35; Flood, 19; Geist, 25; Linehan, 39; Stinner, 48.

THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2022, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To add a new section 26 to Article XV:

XV-26 Notwithstanding restrictions imposed by any other provision in the Constitution, any city, county, or other political subdivision owning or operating an airport may expend or otherwise employ its revenues, from whatever source, for the public purpose of developing, or encouraging the development of, new or expanded regularly scheduled commercial passenger air service at such airport.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to authorize any city, county, or other political subdivision owning or operating an airport to expend its revenues for the public purpose of developing or encouraging the development of new or expanded regularly scheduled commercial passenger air service at such airport.

For

Against.
COMMITTEE REPORT(S)
Revenue

LEGISLATIVE BILL 723. Placed on General File.
LEGISLATIVE BILL 825. Placed on General File.

(Signed) Lou Ann Linehan, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

Lindstrom - LB825

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Albrecht name added to LB825.
Senator Arch name added to LB853.
Senator Wishart name added to LB920.
Senator Gragert name added to LB1093.
Senator Bostelman name added to LB1143.
Senator Kolterman name added to LB1199.

VISITOR(S)

The Doctor of the Day was Dr. Theresa Hatcher of Omaha.

ADJOURNMENT

At 12:04 p.m., on a motion by Senator Hughes, the Legislature adjourned until 9:30 a.m., Friday, January 21, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
ELEVENTH DAY - JANUARY 21, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

ELEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, January 21, 2022

PRAYER

The prayer was offered by Senator Halloran.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Lowe.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:30 a.m., Speaker Hilgers presiding.

SENATOR WILLIAMS PRESIDING

The roll was called and all members were present except Senators Bostelman, Brewer, Dorn, and Hughes who were excused; and Senators Bostar, Day, M. Hansen, Kolterman, Morfeld, Pahls, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the tenth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

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LB1102 Natural Resources
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LB1128 Education
LB1129 Health and Human Services
LB1130 Business and Labor
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Priority designation(s) received:

McKinney - LB450

NOTICE OF COMMITTEE HEARING(S)

Health and Human Services
Room 1510 1:30 PM

Friday, January 28, 2022
LB932
LB1019
LB854

(Signed) John Arch, Chairperson
Appropriations
Room 1003 1:30 PM

Friday, January 28, 2022
Agency 25 - Health and Human Services
LB792
LB971
LB782

(Signed) John Stinner, Chairperson

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 20, 2022, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Abboud, Chris - Public Affairs Group
Madonna Rehabilitation Hospital
Bolte, Lacie
Nebraska AIDS Project
Curry Grubb, Andi
Planned Parenthood North Central States
Jensen Rogert Associates, Inc.
Enterprise Rent-A-Car
Magan, Joseph
Americans for Prosperity
Miller, Westin
Civic Nebraska
Nebraska Strategies
Public Trust Advisors, LLC
Tesla, Inc.

REPORTS

Agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website.

MOTION - Suspend Rules

Senator Friesen offered his motion, MO130, found on page 387, to suspend Rule 3, Section 14, to permit cancellation of a hearing by the Transportation and Telecommunications Committee, to LB911.

SPEAKER HILGERS PRESIDING

Pending.

MOTION - Escort Chief Justice

Senator McKinney moved that a committee of five be appointed to escort the Chief Justice of the Supreme Court to the Legislative Chamber for the purpose of delivering the State of the Judiciary Address.

The motion prevailed.

The Chair appointed Senators Friesen, Geist, Lathrop, McCollister, and Vargas to serve on said committee.

STATE OF THE JUDICIARY ADDRESS

State of the Judiciary
10 A.M. Friday, January 21, 2022
Chief Justice Michael G. Heavican

Mr. President, Mr. Speaker, and Members of the Legislature. Thanks to all of you, particularly Speaker Hilgers, for inviting me to address you this morning. As always, it is an honor for me to report on the annual accomplishments of our Judicial Branch and to discuss our upcoming plans with you.

With me in the Chamber today are my fellow Justices: Justice William Cassel of O’Neill; Justice Stephanie Stacy of Lincoln; Justice Jeff Funke of Nebraska City; Justice Jonathan Papik of Omaha; and Justice John Freudenberg of Rushville. Justice Lindsey Miller-Lerman of Omaha could not be with us today.
Notwithstanding the ongoing pandemic and other challenges, we have had many successes and accomplishments in 2021, and we look forward to 2022.

Today I will highlight some of our accomplishments, including our continuing pandemic response, our response to ongoing staff shortages, our access to justice initiatives, and what's new with probation, problem-solving courts, and the Office of Public Guardian.

Last year I began my presentation to you by quoting from Article I, § 13 of the Nebraska Constitution, which states that "[a]ll courts shall be open, and every person, for any injury done him or her . . . shall have a remedy by due course of law and justice administered without denial or delay."

As I stated then, this means that our courts must remain open, even when much of the rest of society is not. There are no exceptions -- even for a pandemic -- to Nebraska's Constitutional requirement of open courts.

Last year I also emphasized how important it is for the daily workings of our communities and our State that the courts are open and functioning as normally as possible. I am reminding you again of that importance. Crime does not stop, nor does child abuse, spouse abuse, fraud, divorce, and many of the other social and commercial issues that are only resolved in the courts.

This year I report to you that our courts have not only remained open, but have adapted to the realities of the pandemic. Our judges indicate that case back-logs are minimal. That assertion is supported by case management statistics. Few states have achieved such success.

Courts Open and Operational

Keeping the courts open and accessible is an ongoing challenge, but when the going gets tough, the tough get going.

Among the information contained in the materials you received this morning is a list of "Everyday Heroes." These heroes are individuals within our court and probation offices who were recognized by the Supreme Court during the past year for having gone the extra mile to make sure Nebraskans have access to justice.

As you can see, our everyday court and probation staff heroes got tough and got going.

Technology

We owe the success of our courts to the good old-fashioned work ethic of judges, staff, and practicing attorneys. We also owe our positive accomplishments to the increased use of technology and the accompanying innovative initiatives of our court family.

We are still learning from the lessons of the pandemic. Hearings, specifically Zoom and WebEx hearings, were held countless times in the past year. As I speak, there are trial court judges holding virtual hearings from their homes or offices because they tested positive for pandemic-related illnesses or were exposed to someone who tested positive. Without this technology, our courts would be crippled with delays.

Surveys, both in Nebraska and nationally, have found that the majority of respondents believe courts should continue to offer hearings by video when
possible, even after the pandemic wanes. Such proceedings allow the courts to hear more cases and resolve them more quickly. Proceedings conducted electronically can be more efficient for attorneys and their clients, and video hearings eliminate the need to take time off work and/or locate childcare to travel to the courthouse.

Hence, we have challenged the presiding judges in each of our judicial districts to use remote technology when possible and to update court rules in an effort to bring more uniformity and clarity to modified court operations.

**E-filing**

Technology in the courts includes enhanced E-filing. As of January 1, 2022, the Supreme Court fully instituted an E-filing process for use by attorneys in all case types and at all court levels. This accomplishment was the result of a larger project undertaken to modernize our Supreme Court rules to reflect and reinforce the use of technology as a foundation for efficient and transparent court processes.

With some exceptions for self-represented litigants and external third parties, our integrated E-filing system allows all documents to be delivered to the courts in electronic form -- something that less than 5 years ago would have involved the printing, filing, copying, and mailing of court documents. Thanks to technology, those acts are now redundant and obsolete.

**Courtroom Technology**

Another way we are ensuring access to justice through technology is by helping counties across the State upgrade their courtrooms. By law, counties are required to maintain Nebraska's courthouses, many of them historic, which traditionally included the installation of audio-visual systems in courtrooms.

As noted, the pandemic has fast-tracked the adoption of remote hearings. It has shown us that both the judiciary and the public can benefit in cost and time savings. The Supreme Court wants to sustain this momentum and give our judges the ability to leverage high-quality video in their courtrooms in whatever fashion they deem appropriate. These upgrades will enable courts to conduct high-tech proceedings without putting an additional cost burden on the counties.

On-site visits by technology experts began in the fall of 2021. These county-by-county visits allow experts to talk with judges and county officials to assess their courtroom needs. We then create individualized plans to meet the Supreme Court's best practice standards by replacing or enhancing technology already installed in courtrooms.

Likewise, the Judicial Branch wholeheartedly supports the expansion of high-speed internet broadband. Without a strong broadband infrastructure, our rural court users are unable to access the resources we are working so hard to provide.

**Staff Shortages**

One of the effects of the pandemic is ongoing Judicial Branch staffing shortages across the State. Similar to the Executive Branch, we have had to
implement hiring and retention bonuses for all of our court and probation offices.

At the end of December 2021, out of 614 available staff positions in our county courts, there were 57 job openings. Out of 944 available staff positions in probation, there were 99 job openings. The majority of these vacancies come from Lancaster and Douglas Counties. Of these shortages, there are currently 21 job openings for probation officers in Douglas County alone.

However, even the one or two employee vacancies we have in Lexington, Wilber, Dakota City, Gering, or Madison, make a big difference when it comes to supervising a caseload or maintaining accessibility to the courts.

Retaining highly skilled and competent employees remains a priority for the Judicial Branch, as does fair and comparable pay. We have engaged with the National Center for State Courts on a workload and salary assessment study for the courts, which will be followed by a comprehensive salary study for probation.

Our county and district court judges have repeatedly pleaded for staff salary increases in order to retain long-time, trusted employees and maintain normalcy in their courts. Accordingly, we will be asking this body for an upward adjustment to our personnel spending limit.

I remind you again of the good work our court family is doing to keep the courts open statewide, to mitigate a speedy trial crisis, to defuse an eviction crisis, and to make sure access to justice is available to all Nebraskans.

**Access to Justice Commission**

With those goals in mind, I report on our Access to Justice Commission.

The Access to Justice Commission is in the final phase of developing a comprehensive 5-year strategic plan. This plan centers around core principles, with particular emphasis on court users who do not have legal representation. The principles provide that all court users:

- Should have access to understandable legal information;
- Should have access to legal representation and advice;
- Should have equal access to court services and full participation in the judicial process, regardless of income, race, ethnicity, gender, age, ability, language, religion, or geography; and
- Should have their cases resolved fairly and efficiently.

**Language Access Program**

Access to justice also includes language access. In Fiscal Year 2021, interpreters for 25 different languages were employed across the State to provide language access in each of Nebraska's 12 Judicial Districts. Interpreters are involved in everything from problem-solving court participation to adoptions and proceedings in serious felony cases.

Again this year, the most commonly interpreted language is Spanish. We also used interpreters for such unique languages as Ewe, Kunama, and Nepali. In another first for Nebraska's courts, an interpreter for the Afrikaans language was required for a criminal case in North Platte.
Office of Public Guardian

I turn now to our Office of Public Guardian. As you can see in its annual report for 2021, the Office of Public Guardian has two main missions: serving as court-appointed guardians and/or conservators of last resort, and providing mandatory education, and certification of that education, for all of Nebraska's private and family guardians.

Guardian Services

Our public guardians are available for pandemic-related decisions every day -- 24 hours a day seven days a week. This past year, 137 wards tested positive for COVID, necessitating intensive oversight and medical decision-making to ensure the health of our wards and protect their lives. Since the pandemic's beginning, 25 of these wards have required hospitalization. Sadly, nine individuals served by the Office have died of COVID.

The annual report contains a few select stories about clients. In one story, reported in the Omaha World Herald, our guardian relentlessly advocated for medical care for a client whose caregivers refused to enter his home after he tested positive for COVID.

Please read this story, as well as other stories in the Public Guardian's report, to better understand the necessity of our guardianship services.

The Office of Public Guardian has a waiting list for vulnerable adults in need of its services. However, due to budget constraints, for the third year in a row it was able to accept fewer than 25 new appointments out of the hundreds of incapacitated individuals in need of guardian/conservator services.

Education Services

The Office of Public Guardian assists Nebraskans who are serving as private and family guardians. Last year, it pioneered an online option for the mandatory education and certification of guardians. As a result, approximately 2,500 individuals were able to utilize online education during the onset of the pandemic. In 2022, it will develop specialized online education for guardians of minors and children from the child welfare system, which comprise over 30% of individuals certified as guardians in Nebraska.

Juvenile Justice

Turning to juvenile probation and juvenile justice, I will emphasize four ongoing initiatives.

System Review

First, Nebraska has been awarded a 3-year grant to conduct a statewide juvenile justice system review. The assessment begins by an examination of the system's strengths, as well a review of areas that need improvement. This focus helps prioritize recommendations for further development and implementation.

The four priority improvement areas include family engagement, positive youth development, simplification of probation court orders, and reduction in detention.

Nebraska's Juvenile Detention Alternatives Initiative
Second, this year marked the 10th Anniversary of Nebraska's Juvenile Detention Alternatives Initiative, which we call JDAI. JDAI is a collaborative process involving courts, prosecutors, public defenders, law enforcement officers, elected officials, community volunteers, and others. The goals of JDAI are to:

- decrease the number of youth who are unnecessarily or inappropriately detained;
- reduce the number of youth who fail to appear in court or who re-offend pending adjudication;
- redirect public funds towards effective juvenile justice strategies;
- reduce disproportionate minority confinement and contact with the juvenile justice system; and
- improve the juvenile justice system overall.

Douglas County became the first Nebraska JDAI site in 2011. Since that time, JDAI has expanded its services to Sarpy, Otoe, and Lancaster Counties. Hall County became Nebraska's fifth site this past year. JDAI has reduced juvenile detention populations by over 50% statewide.

**Juvenile Probation Reentry Unit**

Third, juvenile probation also enhanced its reentry unit, which supports youth committed to rehabilitation and treatment centers. The reentry unit is comprised of a coordinator and four probation officers assigned to specific youth treatment and rehabilitation facilities across the State, including locations in Kearney, Hastings, and Lincoln.

The enhanced structure of the reentry unit aims to provide intensive case staffing, on-going support and engagement with institutionalized youth, and aid in the development of stronger community transition plans. Such programs help reduce our juvenile justice recidivism rate which, for the second year, remains at an all-time low of 19%.

**Office of Dispute Resolution**

Fourth, we have concluded an evaluation of our statewide restorative justice initiative, which requires juvenile law violators to meet with the victims of their crimes. The data analysis shows that the recidivism rate for youth who participated in this restorative justice process was only 11.3%, compared to the 19% rate noted above for those youth that did not participate.

With these positive results, the Office of Dispute Resolution is working with mediation centers across the State to expand the number of restorative justice programs available to youth. That office is also partnering with the University of Nebraska-Omaha and the University of Nebraska-Lincoln for further program evaluation and research to understand the perspectives of interested parties related to restorative justice. This work will be completed with the support of a 3-year $1 million Office of Juvenile Justice and Delinquency Prevention System Reform Grant. Nebraska was one of only seven states selected as a grant recipient.
Adult Probation

Behavioral Health Services

I turn now to adult probation, which of course is part of Nebraska's judicial branch. Adult probation is our State's main alternative to incarceration. On average, over 80% of individuals involved in the criminal justice system have substance abuse or mental health issues -- or both. Hence, this past year we have emphasized improving our mental health and substance abuse treatment services by upgrading our training and technical assistance for probation field officers in all 93 of Nebraska's counties.

Quality Assurance

Quality assurance of behavioral health services is also an ongoing priority. Probation has been assessing the quality of substance abuse evaluations completed by service providers registered with the Judicial Branch.

Through our quality assurance program, behavioral health services will become more effective and further contribute to the reduction of recidivism. Our recidivism rate currently sits at an impressive 18% for adults under supervision.

Adult probation supervision costs taxpayers just over $2,000 per person per year, which includes the cost of treatment. Intensive supervision of high-risk probationers costs taxpayers just over $4,000 per person per year. Problem-solving courts, which provide even more supervision, cost about $4,500 per person per year. These figures compare dramatically and favorably to the cost of incarceration, which is approximately $41,000 per person per year.

Problem-Solving Courts

I take this opportunity to thank this body for its support of our problem-solving courts. Similar to probation, the goal of problem-solving courts is to divert criminal offenders from our prisons and jails by offering intense community supervision and rehabilitation. Judges are directly involved in this process. Please note the materials included in your packet memorializing the first drug court graduation in Nemaha County.

Our problem-solving courts are finding new and innovative ways to effectively supervise Nebraska's specialized court participants. Nebraska has seven problem-solving court models, which include drug courts, family drug courts, a young adult court, DUI courts, a mental health court, reentry courts, and veterans treatment courts. I will spotlight several of these problem-solving courts, beginning with the veteran's treatment courts.

Veterans Treatment Courts

Nebraska's first Veterans Treatment Court started in Douglas County in 2016. Due to its success, similar courts are now operating in Lancaster, Hall, Buffalo, and Adams Counties. Recently, the Lancaster County Veterans Treatment Court and Adult Drug Court were both selected as model courts for other courts around the country to emulate. Several of
Nebraska's problem-solving court coordinators have also been recruited and selected as trainers by the National Drug Court Institute.

**Young Adult Court and Mental Health Court**

The Young Adult Court in Douglas County provides sentencing alternatives for those between the ages of 18 and 26 who have been charged with a felony offense. In 2021, this specialized court expanded its capacity to include even more young adults.

In Sarpy County, we established Nebraska's first mental health court. This problem-solving court emphasizes a structured alternative program for chronically mentally ill individuals charged with serious criminal offenses.

**Everyday Heroes**

I began this presentation by saluting our everyday court heroes who got going when the going got tough. I close with one more example of the court family's good work.

While all of us have faced challenges posed by the pandemic, some members of our communities have faced more challenges than others. As you glance at the materials provided to you today, you may notice photos that appear to be out of place. They are not.

Often, the obstacles faced by individuals in our court system go beyond addiction, mental illness, or the ability to care for themselves. Sometimes the obstacles come in the form of the inability to obtain basic provisions such as food and shelter.

The extra photos in your material packets show the collective efforts of court and probation offices that have gone above and beyond their calls of duty to help our court users. Examples include food baskets delivered at Thanksgiving; a bassinet provided to a single mother; and a clothes closet available in a probation office so that individuals can be appropriately dressed for job interviews.

Thanks again to those everyday court heroes.

**Conclusion**

And thanks again to the members of this Legislature for the support you have given to our Nebraska Court System. With that support, our everyday court heroes can fulfill our constitutional mandate that the Courts remain open, even in the face of a pandemic.

The support of this body, the Governor, and Nebraska's 2 million citizens reinvigorates Nebraska's court family to continue serving Nebraska by combining Midwest work ethic and innovative ways to provide access to justice for all Nebraskans.

Thank you.

The committee escorted the Chief Justice from the Chamber.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 284.** Introduced by Blood, 3.
WHEREAS, American consumers rely on food labeling for truthful, meaningful information about retail food purchases; and
WHEREAS, the fair and efficient functioning of a free market economy requires properly informed consumers; and
WHEREAS, through the federal Fair Packaging and Labeling Program, Congress declared its intention that packages and labels should enable consumers to obtain accurate information; and
WHEREAS, the United States Department of Agriculture's (USDA) Food Safety and Inspection Service holds responsibility for the safety, labeling, and packaging of the nation's commercial supply of meat, poultry, and egg products; and
WHEREAS, the USDA currently permits use of the "Product of U.S.A." label on foreign imported beef or beef food products by the packing and grocery industry; and
WHEREAS, President Biden issued an executive order on July 9, 2021, that directed the USDA to consider new rules defining the conditions under which meat products can bear "Product of U.S.A." and other similar labels so that consumers have accurate, transparent labels that enable them to choose products originating in the United States; and
WHEREAS, in July 2021, the Federal Trade Commission finalized a new rule cracking down on marketers who make false, unqualified claims that their products are "Made in the U.S.A." and specifically requires "Made in the U.S.A." claims on labels be used only for products that are "all or virtually all" made or sourced in the United States; and
WHEREAS, labels inadequately inform consumers beef labeled "Product of U.S.A." may have only marginal connections with the United States cattle sector and may have been born, raised, and processed in another nation, only to be repackaged and sold under the guise of a "Product of U.S.A." label; and
WHEREAS, this misleading and deceptive practice negatively affects United States cattle producers by driving down prices paid to United States cattle producers and increases profits for the meat packing industry; and
WHEREAS, Nebraska cattle producers and consumers deserve truthful labeling.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature supports an objective review of the "Product of U.S.A." label by the USDA and action to restrict the scope of use in a way that is beneficial for cattle producers and consumers, and is trade compliant.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR284 was referred to the Reference Committee.
RESOLUTION(S)

LEGISLATIVE RESOLUTION 285. Introduced by Brandt, 32.

WHEREAS, Olympian Maggie Malone is a graduate of Fillmore Central High School in Geneva, Nebraska; and
WHEREAS, Maggie began her collegiate career at the University of Nebraska before transferring to Texas A&M University; and
WHEREAS, Maggie, a four-time All American, won the national championship in her senior year, setting a collegiate record in the women's javelin throw; and
WHEREAS, Maggie competed in the 2016 Olympics in Rio de Janeiro and again in the 2020 Olympics in Tokyo; and
WHEREAS, Maggie qualified for the event final and placed in the top ten for the women's javelin throw at the 2020 Tokyo Olympics; and
WHEREAS, Maggie holds the American record for women's javelin with a throw of 67.4 meters (221 feet, 1 inch).

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature congratulates Maggie Malone on being a two-time Olympian and her success in women's javelin throw.
2. That copies of this resolution be sent to Maggie Malone and her family.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Hunt filed the following amendment to LB1086:

AM1630
1. Insert the following new section:
2 Sec. 7. No provision of the Chemical Abortion Safety Protocol Act shall apply to any health care consultation or procedure, including, but not limited to, abortion, chemical abortion, or provision of an abortion-inducing drug, for a person whose pregnancy resulted from incest or sexual assault, regardless of whether such incest or sexual assault was reported, investigated, or prosecuted.
3. On page 2, lines 4 and 6, strike "6" and insert "7".
4. Renumber the remaining sections accordingly.

Senator Erdman filed the following amendment to LB165:

AM1579
1. Strike original section 6 and insert the following new section:
2 Sec. 7. Since an emergency exists, this act takes effect when passed and approved according to law.
3. Renumber the remaining section accordingly.

MOTION - Suspend Rules

Senator Friesen renewed his motion, MO130, found on page 387 and considered in this day's Journal, to suspend Rule 3, Section 14, to permit
cancellation of a hearing by the Transportation and Telecommunications Committee, to LB911.

SENATOR WILLIAMS PRESIDING

SEAKER HILGERS PRESIDING

Senator Hunt moved for a call of the house. The motion prevailed with 19 ayes, 6 nays, and 24 not voting.

Senator Friesen requested a roll call vote on the motion to suspend the rules.

Voting in the affirmative, 39:

Aguilar  Clements  Hansen, M.  McCollister  Slama
Albrecht  DeBoer  Hilgers  McDonnell  Stinner
Arch  Erdman  Hilkemann  McKinney  Vargas
Blood  Friesen  Hunt  Morfeld  Walz
Brandt  Geist  Lathrop  Moser  Wayne
Briese  Gragert  Lindstrom  Murman  Williams
Cavanaugh, J.  Halloran  Linehan  Pansing  Brooks  Wishart
Cavanaugh, M.  Hansen, B.  Lowe  Sanders

Voting in the negative, 0.

Excused and not voting, 10:

Bostar  Brewer  Dorn  Groene  Kolterman
Bostelman  Day  Flood  Hughes  Pahls

The Friesen motion to suspend the rules prevailed with 39 ayes, 0 nays, and 10 excused and not voting.

The Chair declared the call raised.

NOTICE OF COMMITTEE HEARING(S)
Transportation and Telecommunications
Room 1113 1:30 PM
Tuesday, January 25, 2022
LB911 (cancel)

(Signed)  Curt Friesen, Chairperson

Revenue
Room 1524 1:30 PM
Friday, January 28, 2022
Robert W. Hotz - Tax Equalization and Review Commission
LB701
AMENDMENT(S) - Print in Journal

Senator Groene filed the following amendment to LB568:

AM1464  (Amendments to E&R amendments, ER93)
1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Section 43-2404.03, Reissue Revised Statutes of Nebraska,
4 is amended to read:
5 43-2404.03 It is the intent of the Legislature to appropriate five
6 million dollars each fiscal year through fiscal year 2022-23 and eight
7 million five hundred thousand dollars for fiscal year 2023-24 and each
8 fiscal year thereafter to the Community-based Juvenile Services Aid
9 Program.
10 Sec. 2. Original section 43-2404.03, Reissue Revised Statutes of
11 Nebraska, is repealed.

Senator Hunt filed the following amendment to LB1086:

AM1633
1 1. Insert the following new section:
2 Sec. 7. No provision of the Chemical Abortion Safety Protocol Act
3 shall apply to any health care consultation or procedure, including, but
4 not limited to, abortion, chemical abortion, or provision of an abortion-
5 inducing drug, for a person whose pregnancy resulted from being subjected
6 to labor trafficking or sex trafficking, regardless of whether such
7 trafficking was reported, investigated, or prosecuted.
8 2. On page 2, lines 4 and 6, strike "6" and insert "7".
9 3. Renumber the remaining sections accordingly.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 496. Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

SELECT FILE

LEGISLATIVE BILL 685. Considered.

Pending.

MOTION(S) - Print in Journal

Senator M. Cavanaugh filed the following motion to LB685:

MO131
Bracket until February 16, 2022.
UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Wayne name added to LB723.
Senator Dorn name added to LB773.
Senator Wayne name added to LB825.
Senator Brewer name added to LB1051.
Senator Arch name added to LB1080.
Senator Gragert name added to LB1160.

ADJOURNMENT

At 12:00 p.m., on a motion by Senator Erdman, the Legislature adjourned until 10:00 a.m., Monday, January 24, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
TWELFTH DAY - JANUARY 24, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

TWELFTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, January 24, 2022

PRAYER

The prayer was offered by Pastor Arin Hess, Heritage Bible Church, Lincoln.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator DeBoer.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Senator Williams presiding.

The roll was called and all members were present except Senators Brewer and Day who were excused; and Senators Bostar, Hunt, Morfeld, and Pansing Brooks who were excused until they arrive.

SPEAKER HILGERS PRESIDING

CORRECTIONS FOR THE JOURNAL

The Journal for the eleventh day was approved.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 496A. Placed on Select File with amendment.

1 1. On page 1, line 3, strike "First Session, 2021" and insert
2 "Second Session, 2022".

(Signed) Terrell McKinney, Chairperson
REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

**LB/LR Committee**

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NOTICE OF COMMITTEE HEARING(S)
Agriculture
Room 1003 1:30 PM

Tuesday, February 1, 2022
Terry L. Cone - Nebraska Brand Committee
LB1095
LR242

(Signed) Steve Halloran, Chairperson

AMENDMENT(S) - Print in Journal

Senator Kolterman filed the following amendment to LB700:
AM1583 is available in the Bill Room.

COMMITTEE REPORT(S)
Government, Military and Veterans Affairs

LEGISLATIVE BILL 29. Placed on General File with amendment.
AM1610
1 1. On page 2, lines 15 and 16; and page 3, lines 4 and 5, reinstate
2 the stricken matter.

(Signed) Matt Hansen, Vice Chairperson

NOTICE OF COMMITTEE HEARING(S)
Banking, Commerce and Insurance
Room 1507 1:30 PM

Monday, January 31, 2022
LB811
LB892
LB737
LB795

Tuesday, February 1, 2022
LB957
LB1042
LB966
LB955
Tuesday, February 8, 2022
LB738
LB993
LB1017
LB973

(Signed)  Matt Williams, Chairperson

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR274 was adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR274.

COMMITTEE REPORT(S)

Government, Military and Veterans Affairs

LEGISLATIVE BILL 158. Placed on General File.

(Signed)  Matt Hansen, Vice Chairperson

GENERAL FILE

LEGISLATIVE BILL 825. Title read. Considered.

Senator Wayne offered the following motion:

MO132

Recommit to Revenue Committee.

SENATOR HUGHES PRESIDING

SPEAKER HILGERS PRESIDING

Pending.

NOTICE OF COMMITTEE HEARING(S)

Education
Room 1525 1:30 PM

Monday, January 31, 2022
LB960
LB690
LB1218
Tuesday, February 1, 2022
Darrin Scott Good - Nebraska Educational Telecommunications Commission
Nicholas Baxter - Nebraska Educational Telecommunications Commission
LB1128
LB945
LB1169

(Signed) Lynne Walz, Chairperson

Appropriations
Room 1524 1:30 PM

Monday, January 31, 2022
LB762
LB893
LB1067
LB988
LB989
LB1177
LB1164

(Signed) John Stinner, Chairperson

Transportation and Telecommunications
Room 1113 1:30 PM

Monday, January 31, 2022
LB1274
LB1016
LB875
LB999

(Signed) Curt Friesen, Chairperson

Government, Military and Veterans Affairs
Room 1507 1:30 PM

Wednesday, February 2, 2022
LR268CA
LB779
LB1263
LB861
LB841

Thursday, February 3, 2022
LB709
LB1153
LB839
TWELFTH DAY - JANUARY 24, 2022

(Signed) Matt Hansen, Vice Chairperson

Urban Affairs
Room 1510 1:30 PM

Tuesday, February 1, 2022
LB1024
LB1253
LB842
LB915
LB974

(Signed) Justin Wayne, Chairperson

General Affairs
Room 1510 1:30 PM

Monday, January 31, 2022
LB898
LB899
LB900
LB1204
LB1231
LB1235
LB1236

(Signed) Tom Briese, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

Kolterman - LB767

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB825:

AM1647

1 1. On page 11, after line 28, insert the following new subsection:
2 "(18) The changes made in this section by this legislative bill
3 shall only apply to taxpayers residing within the boundaries of a
4 qualified census tract as defined in 26 U.S.C. 42(d)(5)(B)(ii)(I), as
5 such section existed on January 1, 2022."

Senator Wayne filed the following amendment to LB825:

AM1648

1 1. On page 11, after line 28, insert the following new subsection:
2 "(18) The changes made in this section by this legislative bill
3 shall only apply to taxpayers residing within the boundaries of an
4 economic redevelopment area as defined in section 77-6906.

Senator Wayne filed the following amendment to LB825:
AM1649
1. On page 11, after line 28, insert the following new subsection:
2 "(18) The changes made in this section by this legislative bill
3 shall only apply to taxpayers residing within the boundaries of an area
4 that has been declared an extremely blighted area under section
5 18-2101.02.".

Senator Wayne filed the following amendment to LB723:
AM1650
1. On page 4, after line 16, insert the following new subsection:
2 "(6) The changes made in this section by this legislative bill shall
3 only apply to taxpayers residing within the boundaries of a qualified
4 census tract as defined in 26 U.S.C. 42(d)(5)(B)(ii)(I), as such section
5 existed on January 1, 2022.

Senator Wayne filed the following amendment to LB723:
AM1651
1. On page 4, after line 16, insert the following new subsection:
2 "(6) The changes made in this section by this legislative bill shall
3 only apply to taxpayers residing within the boundaries of an economic
4 redevelopment area as defined in section 77-6906.

Senator Wayne filed the following amendment to LB723:
AM1652
1. On page 4, after line 16, insert the following new subsection:
2 "(6) The changes made in this section by this legislative bill shall
3 only apply to taxpayers residing within the boundaries of an area that
4 has been declared an extremely blighted area under section 18-2101.02.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE RESOLUTION 14. Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 286. Introduced by Bostelman, 23; Aguilar, 35; Arch, 14; Blood, 3; Bostar, 29; Brandt, 32; Briese, 41; Cavanaugh, J., 9; Cavanaugh, M., 6; DeBoer, 10; Dorn, 30; Friesen, 34; Geist, 25; Gragert, 40; Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hilkemann, 4; Hughes, 44; Hunt, 8; Kolterman, 24; Lathrop, 12; Lindstrom, 18; Linehan, 39; McCollister, 20; McDonnell, 5; McKinney, 11; Morfeld, 46; Murman, 38; Pahls, 31; Pansing Brooks, 28; Sanders, 45; Slama, 1; Stinner, 48; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, the fiftieth anniversary of Nebraska's natural resources districts is on July 1, 2022; and
WHEREAS, the Legislature passed LB1357 in 1969 to merge one hundred fifty-four political subdivisions into natural resources districts to provide local management of natural resources based on river basin boundaries; and
WHEREAS, the reorganization into natural resources districts was completed on July 1, 1972; and
WHEREAS, Nebraska's natural resources districts play a critical role in the conservation of natural resources locally, statewide, and nationally; and
WHEREAS, Nebraska's natural resources districts protect water, our most precious resource, by finding a balance between competing uses, an essential element to sustaining our state's resources for future generations; and
WHEREAS, Nebraska's groundwater resources are at predevelopment levels thanks to local management and controls implemented by natural resources districts; and
WHEREAS, Nebraska's natural resources districts work with landowners and partner organizations to minimize flood damage by protecting people and property with watershed structures such as dams, levees, dikes and drainage ditches; and
WHEREAS, Nebraska's natural resources districts have built more than seven hundred flood control structures and levees across Nebraska; and
WHEREAS, Nebraska's natural resources districts have developed multi-use projects providing public access to lakes, trails, and wetland areas across more than eighty recreation areas throughout the state; and
WHEREAS, Nebraska's natural resources districts have planted nearly one hundred million trees and shrubs in windbreak structures and urban forestry programs; and
WHEREAS, Nebraska's natural resources districts have been instrumental in assisting landowners with improving grazing lands and pastures; and
WHEREAS, Nebraska's natural resources districts organize projects and programs to educate both youth and adults about conservation and natural resources; and
WHEREAS, Nebraska's natural resources districts have been invaluable in managing, conserving, and sustaining the state's natural resources for future generations; and
WHEREAS, Nebraska's natural resources districts are a model for the other states and countries to successfully manage natural resources.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Nebraska's twenty-three natural resources districts for fifty years of protecting lives, property, and the future of Nebraska.
2. That the Legislature recognizes all past and current natural resources district board members and staff for their dedicated service to the state in protecting our natural resources.
3. That copies of this resolution be sent to each of the twenty-three natural resources district offices.
Laid over.

**UNANIMOUS CONSENT - Add Cointroducer(s)**

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Blood name added to LB450.
Senator Blood name added to LB568.
Senator Hilkemann name added to LB753.
Senator DeBoer name added to LB825.
Senator Groene name added to LB825.
Senator Erdman name added to LB845.
Senator McCollister name added to LB980.
Senator Erdman name added to LB1074.
Senator Gragert name added to LB1131.
Senator Gragert name added to LB1169.
Senator Gragert name added to LB1191.

**VISITOR(S)**

Visitors to the Chamber were forth- and sixth-grade students and teachers from St. James Catholic School, Crete.

The Doctor of the Day was Dr. Brett Copley of Syracuse.

**ADJOURNMENT**

At 11:58 a.m., on a motion by Senator Moser, the Legislature adjourned until 9:00 a.m., Tuesday, January 25, 2022.

Patrick J. O'Donnell  
Clerk of the Legislature
THIRTEENTH DAY - JANUARY 25, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

THIRTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 25, 2022

PRAYER

The prayer was offered by Senator Geist.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Dorn.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator Brewer who was excused; and Senators Bostar, Day, Flood, Hunt, Lathrop, McCollister, Morfeld, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twelfth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

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<thead>
<tr>
<th>LB/LR</th>
<th>Committee</th>
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<tr>
<td>LR283CA</td>
<td>Revenue (rereferred)</td>
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<td>Banking, Commerce and Insurance</td>
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<td>LR284</td>
<td>Agriculture</td>
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</table>

(Signed) Dan Hughes, Chairperson
       Executive Board
COMMUNICATION

Received communication to Senator Arch and the Health and Human Services Committee, from Gary J. Anthone, M.D., Chief Medical Officer, Director, Division of Public Health, Department of Health and Human Services, regarding the appointment of the following to the Stem Cell Research Advisory Committee:

Dr. Alysson Muotri

NOTICE OF COMMITTEE HEARING(S)
Nebraska Retirement Systems
Room 1525 12:00 PM

Wednesday, February 2, 2022
LB700
LB1043

(Signed) Mark Kolterman, Chairperson

Executive Board
Room 1525 12:00 PM

Tuesday, February 1, 2022
LB897
LB1174

(Signed) Dan Hughes, Chairperson

MOTION(S) - Print in Journal

Senator B. Hansen offered the following motion:
Suspend the rules, Rule 3, Section 14, to permit scheduling a public hearing by the Business and Labor Committee in less than seven days.

GENERAL FILE

LEGISLATIVE BILL 825. Senator Wayne withdrew his motion, MO132, found on page 421, to recommit to committee.

Senator Wayne withdrew and refiled his amendments, AM1647 and AM1648, found on page 423.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 1 present and not voting, and 6 excused and not voting.
AMENDMENT(S) - Print in Journal

Senator Arch filed the following amendment to LB376:

AM1646

(Concerning THIRTEENTH DAY - JANUARY 25, 2022

AMENDMENTS TO STANDING COMMITTEE AMENDMENTS, AM1307)  
1. Insert the following new sections:
2. Sec. 5. If the federal Centers for Medicare and Medicaid Services deny the 1915(c) waiver required to be submitted in section 2 of this act, the family support program outlined in sections 2 to 4 of this act shall not be implemented until such waiver or other mechanism authorizing the program is approved. The Department of Health and Human Services shall submit a new waiver application or seek other mechanisms for approval if such application is denied.
3. Sec. 7. Section 83-1201, Revised Statutes Cumulative Supplement, 10, 2020, is amended to read:
4. 83-1201 Sections 83-1201 to 83-1227 and section 8 of this act shall be known and may be cited as the Developmental Disabilities Services Act.  
5. Sec. 8. (1) The Department of Health and Human Services shall engage a nationally recognized consultant to provide an evaluation of the state's developmental disabilities system in order to examine how the State of Nebraska can better serve all Nebraskans with a variety of developmental disabilities.
6. (2) The consultant shall be independent of the Department of Health and Human Services and be a national entity that can demonstrate:
7. (a) Direct involvement with public and tribal developmental disabilities agencies;
8. (b) Partnerships with national advocacy organizations, think tanks, or technical assistance providers for persons with developmental disabilities;
9. 24. (c) Collaboration with community agencies for persons with developmental disabilities; and
10. (d) Independent research regarding developmental disabilities.
11. (3) The evaluation shall analyze the array of services and programs existing in Nebraska for persons with developmental disabilities and address potential areas for improvement with an emphasis on maximizing impact, effectiveness, and cost-efficiencies. The evaluation shall consider: (a) Services offered and provided by the state through the Medicaid state plan or by current Medicaid waivers; (b) services offered by other states through Medicaid state plans, Medicaid waivers, or other mechanisms; and (c) any other areas which may be beneficial to the state in the assessment of its developmental disabilities services.
12. (4) The Department of Health and Human Services shall electronically deliver a report detailing the findings and recommendations of the consultant to the Governor, the chairperson of the Health and Human Services Committee of the Legislature, and the Clerk of the Legislature on or before December 31, 2023.
13. (5) Engagement of the consultant described in this section shall not be subject to competitive bidding requirements under sections 73-501 to 73-510.
14. 2. On page 3, line 25, after "method" insert "as provided in section 4 of this act".
15. 3. Renumber the remaining sections and correct the repealer accordingly.
REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Muotri, Alysson - Stem Cell Research Advisory Committee - Health and Human Services

(Signed) Dan Hughes, Chairperson
Executive Board

GENERAL FILE

LEGISLATIVE BILL 723. Title read. Considered.

Senator Wayne withdrew and refiled his amendments, AM1650, AM1651, and AM1652, found on page 424.

Senator M. Hansen offered the following amendment:

AM1656
1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Section 77-6703, Revised Statutes Supplement, 2021, is
4 amended to read:
5 77-6703 (1) For taxable years beginning or deemed to begin on or
6 after January 1, 2020, under the Internal Revenue Code of 1986, as
7 amended, there shall be allowed to each eligible taxpayer a refundable
8 credit against the income tax imposed by the Nebraska Revenue Act of 1967
9 or against the franchise tax imposed by sections 77-3801 to 77-3807. The
10 credit shall be equal to the credit percentage for the taxable year, as
11 set by the department under subsection (2) of this section, multiplied by
12 the amount of school district taxes paid by the eligible taxpayer during
13 such taxable year.
14 (2)(a) For taxable years beginning or deemed to begin during
15 calendar year 2020, the department shall set the credit percentage so
16 that the total amount of credits for such taxable years shall be one
17 hundred twenty-five million dollars;
18 (b) For taxable years beginning or deemed to begin during calendar
19 year 2021, the department shall set the credit percentage so that the
20 total amount of credits for such taxable years shall be one hundred
21 twenty-five million dollars plus either (i) the amount calculated for
22 such calendar year under subdivision (3)(b)(ii)(B) of section 77-4602 or
23 (ii) the amount calculated for such calendar year under subdivision (3)
24 (c)(ii)(B) of section 77-4602, whichever is applicable;
25 (c) For taxable years beginning or deemed to begin during calendar
26 year 2022, the department shall set the credit percentage so that the
27 total amount of credits for such taxable years shall be the maximum
1 amount of credits allowed under subdivision (2)(b) of this section plus
2 either (i) the amount calculated for such calendar year under subdivision
3 (3)(b)(ii)(B) of section 77-4602 or (ii) the amount calculated for such
4 calendar year under subdivision (3)(c)(ii)(B) of section 77-4602,
5 whichever is applicable;
6 (d) For taxable years beginning or deemed to begin during calendar
7 year 2023, the department shall set the credit percentage so that the
8 total amount of credits for such taxable years shall be the maximum
9 amount of credits allowed under subdivision (2)(c) of this section plus
10 either (i) the amount calculated for such calendar year under subdivision
11 (3)(b)(ii)(B) of section 77-4602 or (ii) the amount calculated for such
12 calendar year under subdivision (3)(c)(ii)(B) of section 77-4602,
13 whichever is applicable;
14 (e) For taxable years beginning or deemed to begin during calendar
15 year 2024, the department shall set the credit percentage so that the
16 total amount of credits for such taxable years shall be two hundred
17 sixty-two hundred seventy-five million dollars; and
18 (f) For taxable years beginning or deemed to begin during calendar
19 year 2025 and each calendar year thereafter, the department shall set the
20 credit percentage so that the total amount of credits for such taxable
21 years shall be the maximum amount of credits allowed in the prior year
22 increased by the allowable growth percentage.
23 (3) If the school district taxes are paid by a corporation having an
24 election in effect under subchapter S of the Internal Revenue Code, a
25 partnership, a limited liability company, a trust, or an estate, the
26 amount of school district taxes paid during the taxable year may be
27 allocated to the shareholders, partners, members, or beneficiaries in the
28 same proportion that income is distributed for taxable years beginning or
29 deemed to begin before January 1, 2021, under the Internal Revenue Code
30 of 1986, as amended. The department shall provide forms and schedules
31 necessary for verifying eligibility for the credit provided in this
32 section and for allocating the school district taxes paid. For taxable
33 years beginning or deemed to begin on or after January 1, 2021, under the
34 Internal Revenue Code of 1986, as amended, the refundable credit shall be
35 claimed by the corporation having an election in effect under subchapter
36 S of the Internal Revenue Code, the partnership, the limited liability
37 company, the trust, or the estate that paid the school district taxes.
38 (4) For any fiscal year or short year taxpayer, the credit may be
39 claimed in the first taxable year that begins following the calendar year
40 for which the credit percentage was determined. The credit shall be taken
41 for the school district taxes paid by the taxpayer during the immediately
42 preceding calendar year.
43 (5) For the first taxable year beginning or deemed to begin on or
44 after January 1, 2021, and before January 1, 2022, under the Internal
45 Revenue Code of 1986, as amended, for a corporation having an election in
46 effect under subchapter S of the Internal Revenue Code, a partnership, a
47 limited liability company, a trust, or an estate that paid school
48 district taxes in calendar year 2020 but did not claim the credit
49 directly or allocate such school district taxes to the shareholders,
50 partners, members, or beneficiaries as permitted under subsection (3) of
51 this section, there shall be allowed an additional refundable credit.
52 (2) This credit shall be equal to six percent, multiplied by the amount of
53 school district taxes paid during 2020 by the eligible taxpayer.
54 Sec. 2. Original section 77-6703, Revised Statutes Supplement,
55 24 2021, is repealed.

Pending.
LEGISLATIVE BILL 310. Placed on Final Reading.

ST39

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, the matter beginning with "and" in line 2 through line 4 and all amendments thereto have been struck and "77-2005.01, and 77-2006, Reissue Revised Statutes of Nebraska; to change inheritance tax rates and exemption amounts as prescribed; to change the individuals who are considered to be relatives of a decedent; to require reports; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections." inserted.

(Signed) Terrell McKinney, Chairperson

COMMITTEE REPORT(S)
Banking, Commerce and Insurance

LEGISLATIVE BILL 767. Placed on General File with amendment.

AM1643

1 1. On page 11, line 31, after "entity" insert "or a 340B contract pharmacy".
2 2. On page 12, line 1, after "entity" insert "or the 340B contract pharmacy"; in line 3 after "entities" insert "or 304B contract pharmacy"; in lines 4, 5, 7, and 9 after "entity" insert "or 304B contract pharmacy"; and strike lines 10 through 14 and insert the following new subsection:
8 "(3) For purposes of this section:
9 (a) 340B entity means an entity participating in the federal 340B drug discount program, as described in 42 U.S.C. 256b; and
11 (b) 304B contract pharmacy means any pharmacy under contract with a 340B entity to dispense drugs on behalf of such 340B entity."

(Signed) Matt Williams, Chairperson
Education

LEGISLATIVE BILL 754. Placed on General File.

(Signed) Lynne Walz, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Appropriations
Room 1524 1:30 PM

Tuesday, February 1, 2022
Agency 69 - Arts Council, Nebraska
Agency 13 - Education, Department of
Agency 54 - Historical Society, Nebraska State
Agency 33 - Game and Parks Commission
LB937
LB813
LB1074
(Signed) John Stinner, Chairperson

Judiciary
Room 1113 1:30 PM

Wednesday, February 2, 2022
LB880
LB1035
LB1036
LB1051
LB1154

Thursday, February 3, 2022
LB1031
LB1155
LB1244
LB1246
LB1247

Wednesday, February 9, 2022
LB882
LB1003
LB1200
LB1213
LB1276

Thursday, February 10, 2022
LB942
LB1184
LB1241
LB1270
LB1271

Friday, February 11, 2022
LB1026
LB1038
LB1135
LB1222

Wednesday, February 16, 2022
LB745
LB830
LB947
LB1192
LB1245
Thursday, February 17, 2022
LB922
LB1053
LB1059
LB1124
LB1132

Wednesday, February 23, 2022
LB907
LB1260
LB1275

Thursday, February 24, 2022
LB781
LB933
LB1086

Friday, February 25, 2022
LB772
LB909
LB1009
LB1171
LB1216

Wednesday, March 2, 2022
LB828
LB829
LB851
LB903
LB990
LB994

Thursday, March 3, 2022
LB692
LB1000
LB1223

Wednesday, February 9, 2022
Gerald Randall (Rand) Hansen - Crime Victim's Reparations Committee

(Signed) Steve Lathrop, Chairperson
Natural Resources
Room 1525 1:30 PM

Wednesday, February 2, 2022
LB1082
LB803
LB1045
RESOLUTION(S)

LEGISLATIVE RESOLUTION 287. Introduced by McCollister, 20; Cavanaugh, M., 6; Hunt, 8; Lathrop, 12.

WHEREAS, the Omaha Westside boys' basketball team won their first Metro Conference Holiday Tournament Championship in eighteen years; and

WHEREAS, Omaha Westside defeated top ranked Bellevue West by a score of 76 to 68 to claim the tournament championship title; and

WHEREAS, this is the sixth tournament championship for the Omaha Westside boys' basketball team; and

WHEREAS, the Omaha Westside boys' basketball team is compiling a historic season; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the Omaha Westside boys' basketball team on winning the Metro Conference Holiday Tournament and wishes them well on the rest of their season.

2. That copies of this resolution be sent to Omaha Westside High School and the Omaha Westside boys' basketball team.

Laid over.
Senator Wayne filed the following amendment to LB915:

AMENDMENT(S) - Print in Journal

Senator McKinney filed the following amendment to LB450:

(Amendments to Standing Committee amendments, AM739)
18 this state.
19 Sec. 3. For purposes of the Nebraska Innovation Hub Act;
20 (1) Department means the Department of Economic Development;
21 (2) Director means the Director of Economic Development;
22 (3) Economic redevelopment area means an area in the State of
23 Nebraska in which:
24 (a) The average rate of unemployment in the area during the period
25 covered by the most recent federal decennial census or American Community
26 Survey 5-Year Estimate by the United States Bureau of the Census is at
27 least one hundred fifty percent of the average rate of unemployment in
28 the state during the same period; and
29 (b) The average poverty rate in the area is twenty percent or more
30 for the federal census tract in the area;
31 (4) iHub area means the geographical area in this state in which an
32 iHub will operate. An iHub area shall be located within:
33 (a) An economic redevelopment area; or
34 (b) An enterprise zone designated pursuant to the Enterprise Zone
35 Act;
36 (5) iHub partner means an entity described in section 6 of this act
37 that collaborates with an iHub for purposes of driving economic growth
38 within an iHub area;
39 (6) Innovation hub or iHub means a private nonprofit corporation
40 that is designated by the director as an iHub and
41 (7) Postsecondary educational institution means a two-year or four-
42 year college or university which is a member institution of an
43 accrediting body recognized by the United States Department of Education.
44 Sec. 4. The department shall designate innovation hubs within iHub
45 areas to stimulate partnerships, economic development, and job creation
46 by leveraging iHub partner assets to provide an innovation platform for
47 startup businesses, economic development organizations, business groups,
48 and venture capitalists. The iHub partner assets may include, but are not
49 limited to, research parks, technology incubators, universities, and
50 federal laboratories.
51 Sec. 5. (1) A private nonprofit corporation may apply to the
52 director to become designated as an iHub. Applications shall be submitted
53 on or after November 1, 2022, and before June 1, 2023. The application
54 shall include, but not be limited to, the following:
55 (a) A statement of purpose;
56 (b) A signed statement of cooperation and a description of the roles
57 and relationships of each iHub partner;
58 (c) A clear explanation and map conveying the iHub area;
59 (d) A clearly identified central location for the iHub, which shall
60 be a physical location;
61 (e) A complete budget, including a description of secured funds,
62 pending funds, and potential future funding sources;
63 (f) A clearly articulated iHub management structure and plan, which
64 may include a description of the capabilities, qualifications, and
65 experience of the proposed management team, team leaders, or key
66 personnel who are critical to achieving the proposed objectives;
67 (g) A list of iHub assets and resources;
68 (h) A clearly articulated industry focus area of the iHub, including
69 industry sectors or other targeted areas for development and growth;
70 (i) A list of specific resources available to support and guide
71 startup companies;
72 (j) A five-year plan, which shall include a clearly articulated list
73 of goals to be achieved with the designation of the iHub;
74 (k) Defined performance standards agreed upon by the applicant and
75 the proposed iHub partners, which may include expectations for job
76 development and business creation;
77 (I) Evaluation procedures that will be used to measure the level of
The report designation inland economic partners; designation area; be of overlap the federal development and business area; department of quality of created, is or director iHub engagement has 2023. no municipal the partner the shall department director of iHub iHub the venture Each its Cash application bank has iHub postsecondary director

Sec. 28. (a) Whether the iHub is committed to serving underrepresented communities in the proposed iHub area; (b) Whether the iHub has a plan for marketing and outreach to underrepresented communities in the proposed iHub area; (c) Whether the iHub has signed statements of cooperation with at least three proposed iHub partners; and (d) The quality of the iHub's five-year plan. (3) The director shall determine whether or not to approve the proposed iHub designation by no later than July 1, 2023. Each iHub designation shall be for a term of five years.

(4) The iHub designation shall not be official until a memorandum of understanding is entered into by the applicant and the director. The memorandum of understanding shall include the goals and performance standards identified in the application and other related requirements as determined by the director. (5) An iHub area may overlap with another iHub area if there is a clear distinction between the industry focus areas of the iHubs involved.

(6) The department shall set guidelines for approval, designation, operation, and reporting of iHubs. (7) An iHub shall annually report to the director on its progress in meeting the goals and performance standards as described in the iHub application and the implementing memorandum of understanding with the director. The report shall also include information regarding the number of businesses served, the number of jobs created, and the amount of funds raised by the iHub. The director shall annually post the information from these reports on the department's website and provide notice to the Governor and the Legislature that the information is available on the website.

Sec. 6. (1) An iHub shall form a collaborative relationship, through a signed statement of cooperation, with at least three iHub partners. An iHub partner may be any of the following: (a) A postsecondary educational institution; (b) A bank or other financial institution; (c) A municipal economic development division or department; (d) A nonprofit economic development corporation; (e) A federal government entity or agency focused on economic development; (f) An inland port authority created pursuant to the Inland Port Authority Act; (g) A business support organization, including a workforce development or training organization, an incubator or a business accelerator, a business technical assistance provider, a chamber of commerce, or a networking organization that supports innovation; (h) An educational consortium, including technology transfer representatives; (i) A venture capital network, including angel investors; or (j) A business foundation, innovation foundation, science foundation, laboratory research institution, federal laboratory, or research and development facility.
The department may allow an entity not listed in subsection (1) of this section to serve as an iHub partner if the department finds that such entity is related to the goals of the iHub.

An iHub's board of directors shall include a representative of each iHub partner that has signed a statement of cooperation with the iHub.

Before an official designation as an iHub, the applicant shall self-certify that the iHub and its iHub partners are current in the payment of all state and local taxes owed.

An iHub may do all of, but shall not be limited to, the following:

(a) Provide counseling and technical assistance to entrepreneurs, either by direct or indirect services, in the following areas:
   (1) The legal requirements for starting a business;
   (2) Entrepreneurial business planning and management;
   (3) Financing and the use of credit;
   (4) Marketing for small businesses;
   (5) Tax education;
   (6) Financial account management, bookkeeping, and budgeting;
   (7) Leadership development;
   (8) Insurance needs and requirements;
   (9) Sources for grant funding and how to apply for such grants;
   (10) Financial literacy education;
   (11) Permit and licensing requirements; and
   (12) Government procurement processes;

(b) Conduct business workshops, seminars, and conferences with local partners including, but not limited to, universities, community colleges, local governments, state and federal service providers, private industry, workforce investment boards and agencies, small business development centers, microenterprise development organizations, small business service agencies, economic development organizations, and chambers of commerce;

(c) Facilitate partnerships between innovative startup businesses, research institutions, and venture capitalists or financial institutions;

(d) Provide the following for entrepreneurs:
   (1) Housing;
   (2) Retail space;
   (3) Commercial kitchens;
   (4) Community spaces;
   (5) Coworking spaces; and

(e) Make loans and award grants to entrepreneurs.

An iHub shall, to the extent feasible, do all of the following:

(a) Work in close collaboration with the activities of the department as its primary statewide partner and

(b) Coordinate activities with community colleges, universities, and other state economic and workforce development programs.

The Innovation Hub Cash Fund is created. The fund shall be administered by the department and shall consist of application fees received under section 5 of this act, funds transferred by the Legislature, and any other money as determined by the Legislature.

The fund shall be used by the department for purposes of carrying out the Nebraska Innovation Hub Act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

The director may adopt and promulgate rules and regulations to carry out the Nebraska Innovation Hub Act.
Senator Blood filed the following amendment to LB723:

AM1663

1. Strike the original sections and all amendments thereto and
2. insert the following new sections:
   3. Section 1. Sections 1 to 5 of this act shall be known and may be
cited as the Property Tax Reduction Act.
   4. Sec. 2. The purpose of the Property Tax Reduction Act is to provide
property tax relief for property taxes levied against real property by
school districts. The property tax relief will be made to eligible
taxpayers in the form of a property tax credit.
   5. Sec. 3. For purposes of the Property Tax Reduction Act:
   (1) Allowable growth percentage means the percentage increase, if
any, in the total assessed value of all real property in the state from
the prior year to the current year, as determined by the department,
except that in no case shall the allowable growth percentage exceed five
percent in any one year.
   (2) Department means the Department of Revenue;
   (3) Eligible taxpayer means any individual, corporation,
partnership, limited liability company, trust, estate, or other entity
that pays school district taxes; and
   (4) School district taxes means property taxes levied on real
property in this state by a school district or multiple-district school
system, excluding any property taxes levied for bonded indebtedness and
any property taxes levied as a result of an override of limits on
property tax levies approved by voters pursuant to section 77-3444.
   6. Sec. 4. The Property Tax Reduction Cash Fund is created. The fund
shall only be used pursuant to the Property Tax Reduction Act. Any money
in the fund available for investment shall be invested by the state
investment officer pursuant to the Nebraska Capital Expansion Act and the
Nebraska State Funds Investment Act.
   7. Sec. 5. (1) Beginning with tax year 2022, each eligible taxpayer
shall receive a credit against the school district taxes levied on the
eligible taxpayer's property. The credit shall be equal to the credit
percentage for the year, as set by the department under subsection (2) of
this section, multiplied by the amount of school district taxes levied
against the eligible taxpayer's property for such year. The credit shall
be in the form of a property tax credit which appears on the property tax
statement.
   (2)(a) For tax year 2022, the department shall set the credit
percentage so that the total amount of credits for such year shall be
five hundred forty-eight million dollars;
   (b) For tax year 2023, the department shall set the credit
percentage so that the total amount of credits for such year shall be
five hundred forty-eight million dollars;
   (c) For tax year 2024, the department shall set the credit
percentage so that the total amount of credits for such year shall be
three hundred seventy-five million dollars.
   (d) For tax year 2025 and each tax year thereafter, the department
shall set the credit percentage so that the total amount of credits for
such year shall be the maximum amount of credits allowed in the prior
year increased by the allowable growth percentage.
   (3) The State of Nebraska shall reimburse school districts for the
property tax revenue lost as a result of the credit granted in this
section. The amount disbursed to each school district shall be equal to
the total amount of credits for the year as determined under subsection
(2)(c) of this section multiplied by the ratio of the total school district
levied taxes by the school district to the total school district taxes
levied in the state. By September 15, the Property Tax Administrator
shall determine the amount to be disbursed under this subsection to each
school district and certify such amounts to the State Treasurer and to
1 each school district. The disbursements to the school districts shall  
2 occur in two equal payments, the first on or before January 31 and the  
3 second on or before April 1.  
4 (4) If the eligible taxpayer qualifies for a homestead exemption  
5 under sections 77-3501 to 77-3579, the eligible taxpayer shall also be  
6 qualified for the credit provided in the Property Tax Reduction Act to  
7 the extent of any remaining liability after calculation of the relief  
8 provided by the homestead exemption. If the credit results in a property  
9 tax liability on the homestead that is less than zero, the amount of the  
10 credit which cannot be used by the eligible taxpayer shall be returned by  
11 the school district to the Property Tax Administrator by July 1 of the  
12 year the amount disbursed to the school district was disbursed. The  
13 Property Tax Administrator shall immediately credit any funds returned  
14 under this subsection to the Property Tax Reduction Cash Fund. Upon the  
15 return of any funds under this subsection, the school district shall  
16 electronically file a report with the Property Tax Administrator, on a  
17 form prescribed by the Tax Commissioner, indicating the amount of unused  
18 credits returned.  
19 Sec. 6. Section 77-6702, Revised Statutes Cumulative Supplement,  
20 2020, is amended to read:  
21 77-6702 For purposes of the Nebraska Property Tax Incentive Act:  
22 (4) Allowable growth percentage means the percentage increase, if  
23 any, in the total assessed value of all real property in the state from  
24 the prior year to the current year, as determined by the department.  
25 Except that in no case shall the allowable growth percentage exceed five  
26 percent in any one year;  
27 (1) (d) Department means the Department of Revenue;  
28 (2) (e) Eligible taxpayer means any individual, corporation,  
29 partnership, limited liability company, trust, estate, or other entity  
30 that pays school district taxes during a taxable year; and  
31 (3) (f) School district taxes means property taxes levied on real  
1 property in this state by a school district or multiple-district school  
2 system, excluding any property taxes levied for bonded indebtedness and  
3 any property taxes levied as a result of an override of limits on  
4 property tax levies approved by voters pursuant to section 77-3444.  
5 Sec. 7. Section 77-6703, Revised Statutes Supplement, 2021, is  
6 amended to read:  
7 77-6703 (1) For taxable years beginning or deemed to begin on or  
8 after January 1, 2020, and before January 1, 2022, under the Internal  
9 Revenue Code of 1986, as amended, there shall be allowed to each eligible  
10 taxpayer a refundable credit against the income tax imposed by the  
11 Nebraska Revenue Act of 1967 or against the franchise tax imposed by  
12 sections 77-3801 to 77-3807. The credit shall be equal to the credit  
13 percentage for the taxable year, as set by the department under  
14 subsection (2) of this section, multiplied by the amount of school  
15 district taxes paid by the eligible taxpayer during such taxable year.  
16 (2)(a) For taxable years beginning or deemed to begin during  
17 calendar year 2020, the department shall set the credit percentage so  
18 that the total amount of credits for such taxable years shall be one  
19 hundred twenty-five million dollars; and  
20 (b) For taxable years beginning or deemed to begin during calendar  
21 year 2021, the department shall set the credit percentage so that the  
22 total amount of credits for such taxable years shall be one hundred  
23 twenty-five million dollars plus either (i) the amount calculated for  
24 such calendar year under subdivision (3)(b)(ii)(B) of section 77-4602 or  
25 (ii) the amount calculated for such calendar year under subdivision (3)  
26 (c)(ii)(B) of section 77-4602, whichever is applicable;  
27 (c) For taxable years beginning or deemed to begin during calendar  
28 year 2022, the department shall set the credit percentage so that the  
29 total amount of credits for such taxable years shall be the maximum
(3) If the school district taxes are paid by a corporation having an election in effect under subchapter S of the Internal Revenue Code, a partnership, a limited liability company, a trust, or an estate, the
amount of school district taxes paid during the taxable year may be
allocated to the shareholders, partners, members, or beneficiaries in the
same proportion that income is distributed for taxable years beginning or
deemed to begin before January 1, 2023, under the Internal Revenue Code
of 1986, as amended. The department shall provide forms and schedules
necessary for verifying eligibility for the credit provided in this
30 section and for allocating the school district taxes paid. For taxable
31 years beginning or deemed to begin on or after January 1, 2023, and
1 before January 1, 2022, under the Internal Revenue Code of 1986, as
amended, the refundable credit shall be claimed by the corporation having
an election in effect under subchapter S of the Internal Revenue Code,
the partnership, the limited liability company, the trust, or the estate
that paid the school district taxes.
6 (4) For any fiscal year or short year taxpayer, the credit may be
7 claimed in the first taxable year that begins following the calendar year
8 for which the credit percentage was determined. The credit shall be taken
9 for the school district taxes paid by the taxpayer during the immediately
10 preceding calendar year.
11 (5) For the first taxable year beginning or deemed to begin on or
12 after January 1, 2021, and before January 1, 2022, under the Internal
13 Revenue Code of 1986, as amended, for a corporation having an election in
14 effect under subchapter S of the Internal Revenue Code, a partnership, a
15 limited liability company, a trust, or an estate that paid school
district taxes in calendar year 2020 but did not claim the credit
directly or allocate such school district taxes to the shareholders,
18 partners, members, or beneficiaries as permitted under subsection (3) of
19 this section, there shall be allowed an additional refundable credit.
20 This credit shall be equal to six percent, multiplied by the amount of
21 school district taxes paid during 2020 by the eligible taxpayer.
22 Sec. 8. Section 81-12,193, Revised Statutes Cumulative Supplement,
23 2020, is amended to read:
24 81-12,193 (1) The Nebraska Transformational Project Fund is hereby
25 created. The fund shall receive money from application fees paid under
26 the Nebraska Transformational Projects Act and from appropriations from
27 the Legislature, grants, private contributions, repayments of matching
28 funds, and all other sources. Any money in the fund available for
29 investment shall be invested by the state investment officer pursuant to
30 the Nebraska Capital Expansion Act and the Nebraska State Funds
31 Investment Act.
1 (2) It is the intent of the Legislature that the State Treasurer
2 shall transfer an amount not to exceed three hundred million dollars to
3 the Nebraska Transformational Project Fund. Such transfers shall only
4 occur after the applicant has been selected for participation in the
5 program described in Title VII, Subtitle C, section 740 of Public Law
6 116-92 and commitments totaling one billion three hundred million dollars
7 in total investment, including only federal dollars and private
8 donations, have been secured. In no case shall any transfer occur before
9 fiscal year 2025-26 or before the total amount of property tax refundable
10 credits granted annually under the Nebraska Property Tax Reduction
11 Incentive Act reaches three hundred seventy-five million dollars.
12 Distributions shall only be made from the fund in amounts equal to the
13 amount of private dollars received by the applicant for the project.
14 (3) Any money remaining in the fund after all obligations have been
15 met shall be transferred to the General Fund.
16 Sec. 9, Section 84-612, Revised Statutes Supplement, 2021, is
17 amended to read:
18 84-612 (1) There is hereby created within the state treasury a fund
19 known as the Cash Reserve Fund which shall be under the direction of the
20 State Treasurer. The fund shall only be used pursuant to this section.
21 (2) The State Treasurer shall transfer funds from the Cash Reserve
22 Fund to the General Fund upon certification by the Director of
23 Administrative Services that the current cash balance in the General Fund
24 is inadequate to meet current obligations. Such certification shall
25 include the dollar amount to be transferred. Any transfers made pursuant
26 to this subsection shall be reversed upon notification by the Director of
27 Administrative Services that sufficient funds are available.
28 (3) In addition to receiving transfers from other funds, the Cash
29 Reserve Fund shall receive federal funds received by the State of
30 Nebraska for undesignated general government purposes, federal revenue
31 sharing, or general fiscal relief of the state.
1 (4) The State Treasurer shall transfer fifty-four million seven
2 hundred thousand dollars on or after July 1, 2019, but before June 15,
3 2021, from the Cash Reserve Fund to the Nebraska Capital Construction
4 Fund on such dates and in such amounts as directed by the budget
5 administrator of the budget division of the Department of Administrative
6 Services.
7 (5) The State Treasurer shall transfer thirty million dollars from
8 the Cash Reserve Fund to the General Fund after November 15, 2020, but
9 before December 31, 2020, on such date as directed by the budget
10 administrator of the budget division of the Department of Administrative
11 Services. Except for the transfer authorized in this subsection, no funds
12 shall be transferred from the Cash Reserve Fund to fulfill the
13 obligations created under the Nebraska Property Tax Incentive Act or the
14 Property Tax Reduction Act unless the balance in the Cash Reserve Fund
15 after such transfer will be at least equal to five hundred million
16 dollars.
17 (6) The State Treasurer shall transfer fifty million dollars from
18 the Cash Reserve Fund to the United States Space Command Headquarters
19 Assistance Fund on or before June 30, 2023, but not before July 1, 2022,
20 on such dates and in such amounts as directed by the budget administrator
21 of the budget division of the Department of Administrative Services. The
22 transfer in this subsection shall not occur unless the State of Nebraska
23 is selected as the site of the United States Space Command headquarters.
24 Sec. 10. Original sections 77-6702 and 81-12,193, Revised Statutes
25 Cumulative Supplement, 2020, and sections 77-6703 and 84-612, Revised
26 Statutes Supplement, 2021, are repealed.
27 Sec. 11. Since an emergency exists, this act takes effect when
28 passed and approved according to law.

Senator M. Hansen filed the following amendment to LB723:

Amend AM1656:
On page two lines 16-17 strike "Two Hundred Sixty-Two" and insert "Three Hundred Seventy-Six".

**UNANIMOUS CONSENT - Add Cointroducer(s)**

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

- Senator Blood name added to LB795.
- Senator Brewer name added to LB825.
- Senator Blood name added to LB825.
- Senator B. Hansen name added to LB825.
- Senator Blood name added to LB844.

**ADJOURNMENT**

At 11:52 a.m., on a motion by Senator Sanders, the Legislature adjourned
until 9:00 a.m., Wednesday, January 26, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
FOURTEENTH DAY - JANUARY 26, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

FOURTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 26, 2022

PRAYER

The prayer was offered by Pastor Michael Davis, Retired Methodist Clergyman, Gretna.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Erdman.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator Brewer who was excused; and Senators M. Cavanaugh, B. Hansen, Hunt, McCollister, Pansing Brooks, Walz, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirteenth day was approved.

MESSAGE(S) FROM THE GOVERNOR

January 24, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being
reappointed to the Nebraska Motor Vehicle Industry Licensing Board.

Thomas R. McCaslin, 1740 N. D Street, Broken Bow, NE 68822

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

NOTICE OF COMMITTEE HEARING(S)
Health and Human Services
Room 1510 1:30 PM

Thursday, February 3, 2022
LB1068
LB1230

Wednesday, February 2, 2022
LB812
LB752
LB1249
LB770

(Signed) John Arch, Chairperson

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR275 was adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR275.

GENERAL FILE

LEGISLATIVE BILL 723. Senator M. Hansen withdrew his amendment, FA64, found on page 444.

Senator M. Hansen renewed his amendment, AM1656, found on page 430.

Senator M. Hansen withdrew his amendment.

Senator Blood offered her amendment, AM1663, found on page 430.
Senator M. Cavanaugh offered the following motion:

MO133
Bracket until March 17, 2022.

The M. Cavanaugh motion to bracket failed with 4 ayes, 28 nays, 15 present and not voting, and 2 excused and not voting.

The Blood amendment lost with 5 ayes, 27 nays, 15 present and not voting, and 2 excused and not voting.

Senator Briese offered the following amendment:

FA65
P. 2 Line 25, strike from "the maximum" through line 30 and insert "Five Hundred Forty Eight million dollars" and P. 3 Line 2, strike from "the maximum" through "applicable" on line 7 and insert "Five Hundred Sixty million Seven Hundred thousand dollars".

The Briese amendment was adopted with 39 ayes, 0 nays, 8 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 11 present and not voting, and 2 excused and not voting.

NOTICE OF COMMITTEE HEARING(S)
Revenue
Room 1524 1:30 PM

Wednesday, February 2, 2022
LB1094
LB801
LB985
LB1150
LB817

Thursday, February 3, 2022
LR272CA
LB860
LR283CA
LR281CA
LB1242
LR264CA

(Signed) Lou Ann Linehan, Chairperson
Appropriations
Room 1003 1:30 PM

Wednesday, February 2, 2022
Agency 11 - Attorney General
Agency 12 - State Treasurer
Thursday, February 3, 2022
Agency 5 - Supreme Court
Agency 46 - Correctional Services, Department of
Agency 64 - State Patrol, Nebraska
LB1049
LB1111

(Signed) John Stinner, Chairperson
Business and Labor
Room 1003 1:30 PM

Monday, February 14, 2022
LB935
LB1018
LB1028
LB1069
LB1040
LB1098

Monday, February 28, 2022
LB1083
LB1084
LB1130
LB815
LB1140
LB834
LB1029

(Signed) Ben Hansen, Chairperson

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 825. Placed on Select File.

(Signed) Terrell McKinney, Chairperson
ANNOUNCEMENT(S)

Priority designation(s) received:

Legislative Performance Audit - LB937
Legislative Performance Audit - LB1150

AMENDMENT(S) - Print in Journal

Senator Briese filed the following amendment to LB723:
FA66
P. 2 line 25, strike from "the maximum" through line 30 and insert "Five Hundred Forty Eight million dollars" and P. 3 line 2, strike from "the maximum" through "applicable" on line 7 and insert "Five Hundred Sixty Million Seven Hundred Thousand dollars".

GENERAL FILE

LEGISLATIVE BILL 450. Title read. Considered.

Committee AM739, found on page 961, First Session, 2021, was offered.

Senator McKinney offered his amendment, AM1600, found on page 436, to the committee amendment.

SENATOR WILLIAMS PRESIDING

The McKinney amendment was adopted with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

The committee amendment, as amended, was adopted with 42 ayes, 0 nays, 3 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 2 present and not voting, and 4 excused and not voting.

NOTICE OF COMMITTEE HEARING(S)

Urban Affairs
Room 1510 1:30 PM

Tuesday, February 8, 2022
LB713
LB1065
LB1060
LB836
LB725

(Signed) Justin Wayne, Chairperson
Thursday, February 3, 2022
LR282CA

(Signed) Dan Hughes, Chairperson
Banking, Commerce and Insurance
Room 1525 12:00 PM

Monday, February 14, 2022
LB1092
LB1127
LB1215

Tuesday, February 15, 2022
LB943
LB1175
LB1190

Tuesday, February 22, 2022
LB1187
LB1061
LB948
LB1258

Monday, February 28, 2022
LB689
LB718
LB1188

Tuesday, March 1, 2022
LB715

(Signed) Matt Williams, Chairperson

SELECT FILE

LEGISLATIVE BILL 496A. ER100, found on page 417, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 568. ER93, found on page 1462, First Session, 2021, was adopted.

Senator Pansing Brooks offered her amendment, AM1510, found on page 339.
FOURTEENTH DAY - JANUARY 26, 2022

Pending.

MOTION - Suspend Rules

Senator B. Hansen offered his motion, found on page 428, to suspend Rule 3, Section 14, to permit scheduling a public hearing by the Business and Labor Committee in less than seven days.

The B. Hansen motion to suspend the rules prevailed with 34 ayes, 0 nays, 13 present and not voting, and 2 excused and not voting.

NOTICE OF COMMITTEE HEARING(S)

Business and Labor
Room 1003 1:30 PM

Monday, January 31, 2022
LB719
LB1133
LB1062
LB871
LB967
LB1137

(Signed) Ben Hansen, Chairperson

AMENDMENT(S) - Print in Journal

Senator B. Hansen filed the following amendment to LB906:

AM1675
1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. (1) For purposes of this section:
4 (a) COVID-19 means the novel coronavirus identified as SARS-CoV-2;
5 any disease caused by SARS-CoV-2, its viral fragments, or a virus
6 mutation therefrom; and all conditions associated with the disease which
7 are caused by SARS-CoV-2, its viral fragments, or a virus mutation
8 therefrom;
9 (b) Department means the Department of Health and Human Services;
10 (c)(i) Employer means a person engaged in an industry who has one or
11 more employees;
12 (ii) Employer also includes any party whose business is financed in
13 whole or in part under the Nebraska Investment Finance Authority Act
14 regardless of the number of employees and includes the State of Nebraska,
15 governmental agencies, and political subdivisions; and
16 (iii) Employer does not include (A) the United States, a corporation
17 wholly owned by the government of the United States, or an Indian tribe
18 or (B) a bona fide private membership club other than a labor
19 organization, which is exempt from taxation under section 501(c) of the
20 Internal Revenue Code;
21 (d) Health care practitioner means a person licensed under (i) the
22 Medicine and Surgery Practice Act to practice medicine and surgery or
23 osteopathic medicine and surgery, (ii) the Medicine and Surgery Practice
24 Act to practice as a physician assistant, or (iii) the Advanced Practice
25 Registered Nurse Practice Act to practice as an advanced practice
26 registered nurse; and
27 (g) Vaccine exemption form means the form created by the department
28 under subsection (2) of this section.
29 (2) (a) The department shall develop a vaccine exemption form for an
30 individual to claim an exemption from receiving a COVID-19 vaccine as
31 provided in this section. The department shall make the form available on
32 the department's website within fifteen days after the effective date of
33 this act.
34 (b) The form shall include a declaration by the individual seeking
35 an exemption that:
36 (i) A health care practitioner has provided the individual with a
37 written statement that, in the health care practitioner's opinion,
38 receiving a COVID-19 vaccine would be injurious to the health and well-
39 being of the individual; or
40 (ii) Receiving a COVID-19 vaccine would conflict with the
41 individual's sincerely held religious belief, practice, or observance.
42 (3) An employer that requires applicants or employees to be
43 vaccinated against COVID-19 shall allow for an exemption to such
44 requirement for an individual who provides the employer with:
45 (a) A completed vaccine exemption form; and
46 (b) For an individual claiming an exemption based on the statement
47 of a health care practitioner, a copy of such signed written statement.
48 (4) An employer may require an employee granted an exemption under
49 this section to:
50 (a) Be periodically tested for COVID-19 at the employer's expense;
51 and
52 (b) Wear or use personal protective equipment provided by the
53 employer.
54 Sec. 2. Since an emergency exists, this act takes effect when
55 passed and approved according to law.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 288. Introduced by Morfeld, 46; Aguilar,
35; Albrecht, 17; Arch, 14; Blood, 3; Bostar, 29; Bostelman, 23; Brandt, 32; 
Briese, 41; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Day, 49; 
DeBoer, 10; Dorn, 30; Erdman, 47; Flood, 19; Friesen, 34; Geist, 25; 
Grager, 40; Groene, 42; Hansen, B., 16; Hansen, M., 26; Hilgers, 21; 
Hilkemann, 4; Hughes, 44; Hunt, 8; Koltermann, 24; Lathrop, 12; Lindstrom, 
18; Linehan, 39; Lowe, 37; McCollister, 20; McDonnell, 5; McKinney, 11; 
Moser, 22; Murman, 38; Pahls, 31; Pansing Brooks, 28; Sanders, 45; Slama, 
1; Stinner, 48; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, Regent Emeritus Robert "Bob" Whitehouse devoted his life 
to being a kind, humble, and passionate educator, leader, and public servant; and
WHEREAS, Bob represented District 4 on the University of Nebraska 
Board of Regents from 2006 to 2018, twice serving as Chairperson; and
WHEREAS, Bob approached every task with the goal of making a 
positive and lasting difference in the lives of Nebraska's children and 
college students; and
WHEREAS, Bob was a dedicated teacher, coach, principal, mentor, 
volunteer, and public servant inspiring all of those around him; and
WHEREAS, Bob left the University of Nebraska system better than he 
found it and inspired all who served with him; and

452 LEGISLATIVE JOURNAL
WHEREAS, Bob, through his unparalleled service as a member of the Nebraska Board of Regents, improved the quality and accessibility of the University of Nebraska; and

WHEREAS, Bob passed away on January 22, 2022, at the age of seventy-seven and will be greatly missed by all Nebraskans, most especially by his wife Kim and family.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature honors Regent Emeritus Robert "Bob" Whitehouse for his lifelong devotion to education and public service.

2. That the Legislature offers its condolences to the family of Regent Emeritus Bob Whitehouse.

3. That a copy of this resolution be sent to the family of Regent Emeritus Bob Whitehouse.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Hunt name added to LB815.
Senator Morfeld name added to LB833.
Senator Hunt name added to LB842.
Senator Blood name added to LB849.
Senator Hunt name added to LB872.
Senator Hunt name added to LB881.
Senator Hunt name added to LB883.
Senator Hunt name added to LB920.
Senator Hunt name added to LB940.
Senator Hunt name added to LB946.
Senator Hunt name added to LB952.
Senator Hunt name added to LB991.
Senator Hunt name added to LB1002.
Senator Hunt name added to LB1018.
Senator Hunt name added to LB1024.
Senator Hunt name added to LB1052.
Senator Hunt name added to LB1073.
Senator Hunt name added to LB1075.
Senator Brewer name added to LB1080.
Senator Day name added to LB1080.
Senator Hunt name added to LB1114.
Senator Hunt name added to LB1116.
Senator Hunt name added to LB1117.
Senator Hunt name added to LB1129.
Senator Hunt name added to LB1133.
Senator Hunt name added to LB1141.
Senator Hunt name added to LB1142.
Senator Hunt name added to LB1154.
Senator Hunt name added to LB1155.
Senator Hunt name added to LB1191.
Senator Hunt name added to LB1201.
Senator Hunt name added to LB1203.
Senator Hunt name added to LB1205.
Senator Hunt name added to LB1238.
Senator Hunt name added to LB1252.
Senator Hunt name added to LB1275.
Senator Hunt name added to LB1276.

VISITOR(S)

Visitors to the Chamber were Brooks Roberts, Chadron; Michael H. McCabe, Lombard, Illinois; and sixth- through eighth-grade students from Jesuit Academy & Holy Name School, Omaha.

The Doctor of the Day was Dr. Dale Michels of Walton.

ADJOURNMENT

At 11:55 a.m., on a motion by Senator Dorn, the Legislature adjourned until 9:00 a.m., Thursday, January 27, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
FIFTEENTH DAY - JANUARY 27, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

FIFTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 27, 2022

PRAYER

The prayer was offered by Father Christopher Kubat, St. Cecilia Catholic Church, Hastings.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Friesen.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Hughes presiding.

The roll was called and all members were present except Senators Albrecht, Bostar, Briese, M. Cavanaugh, Day, M. Hansen, Lathrop, Morfeld, Stinner, Walz, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 430, strike lines 2 through 7.
The Journal for the thirteenth day was approved as corrected.

The Journal for the fourteenth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR Committee
LB1182 Appropriations (rereferred)

(Signed) Dan Hughes, Chairperson
Executive Board
ANNOUNCEMENT(S)

Priority designation(s) received:
McDonnell - LB1023

SPEAKER HILGERS PRESIDING

SELECT FILE

LEGISLATIVE BILL 568. Senator Pansing Brooks renewed her amendment, AM1510, found on page 339 and considered on page 450.

SENATOR HUGHES PRESIDING

SPEAKER HILGERS PRESIDING

Pending.

MOTION(S) - Print in Journal

Senator M. Cavanaugh filed the following motion to LB1126: MO134 Withdraw LB1126.

ANNOUNCEMENT(S)

Priority designation(s) received:
Briese - LB986
Education - LB890
Education - LB1218

COMMITTEE REPORT(S)

Education

LEGISLATIVE BILL 758. Placed on General File with amendment. AM1684
1 1. On page 2, line 6, after "79-1101" insert "and includes programs licensed under the Child Care Licensing Act".

(Signed) Lynne Walz, Chairperson

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 723. Placed on Select File.
LEGISLATIVE BILL 450. Placed on Select File.

(Signed) Terrell McKinney, Chairperson
Senator B. Hansen filed the following amendment to LB906: AM1687:

1. Strike the original sections and all amendments thereto and insert the following new sections:
2. Section 1. (1) For purposes of this section:
3. (a) COVID-19 means the novel coronavirus identified as SARS-CoV-2;
4. (b) any disease caused by SARS-CoV-2, its viral fragments, or a virus mutation therefrom; and all conditions associated with the disease which are caused by SARS-CoV-2, its viral fragments, or a virus mutation therefrom;
5. (b) Department means the Department of Health and Human Services;
6. (c) Employer means a person engaged in an industry who has one or more employees;
7. (ii) Employer also includes any party whose business is financed in whole or in part under the Nebraska Investment Finance Authority Act regardless of the number of employees and includes the State of Nebraska, governmental agencies, and political subdivisions; and
8. (iii) Employer does not include (A) the United States, a corporation wholly owned by the government of the United States, or an Indian tribe or (B) a bona fide private membership club, other than a labor organization, which is exempt from taxation under section 501(c) of the Internal Revenue Code;
9. (d) Health care practitioner means a person licensed under (i) the Medicine and Surgery Practice Act to practice medicine and surgery or osteopathic medicine and surgery, (ii) the Medicine and Surgery Practice Act to practice as a physician assistant, or (iii) the Advanced Practice Registered Nurse Practice Act to practice as an advanced practice registered nurse; and
10. (g) Vaccine exemption form means the form created by the department under subsection (2) of this section.
11. (a) The department shall develop a vaccine exemption form for an individual to claim an exemption from receiving a COVID-19 vaccine as provided in this section. The department shall make the form available on the department's website.
12. (b) The form shall include a declaration by the individual seeking an exemption that:
13. (i) A health care practitioner has provided the individual with a signed written statement that, in the health care practitioner's opinion, (A) receiving a COVID-19 vaccine is medically contraindicated for the individual or (B) medical necessity requires the individual to delay receiving such vaccine; or
14. (ii) Receiving a COVID-19 vaccine would conflict with the individual's sincerely held religious belief, practice, or observance.
15. (i) An employer that requires applicants or employees to be vaccinated against COVID-19 shall allow for an exemption to such requirement for an individual who provides the employer with:
16. (a) A completed vaccine exemption form; and
17. (b) For an individual claiming an exemption based on the statement
of a health care practitioner, a copy of such signed written statement.
(4) An employer may require an employee granted an exemption under
this section to:
(a) Be periodically tested for COVID-19 at the employer's expense;
and
(b) Wear or use personal protective equipment provided by the
employer.
Sec. 2. Since an emergency exists, this act takes effect when
passed and approved according to law.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Wayne name added to LB450.
Senator M. Hansen name added to LB450.
Senator Brewer name added to LB735.
Senator Brewer name added to LB768.
Senator Clements name added to LB774.
Senator Clements name added to LB777.
Senator Hunt name added to LB793.
Senator Brewer name added to LB853.
Senator Brewer name added to LB859.
Senator Vargas name added to LB910.
Senator Clements name added to LB933.
Senator Brewer name added to LB975.
Senator Hunt name added to LB1066.
Senator Hunt name added to LB1067.
Senator Briese name added to LB1170.
Senator Clements name added to LB1237.
Senator Brewer name added to LB1270.
Senator Brewer name added to LB1271.
Senator Hunt name withdrawn from LB1275.

VISITOR(S)

The Doctor of the Day was Dr. Joe Miller of Omaha.

ADJOURNMENT

At 11:54 a.m., on a motion by Senator Hunt, the Legislature adjourned until
9:00 a.m., Friday, January 28, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
PLANNED EARNING - JANUARY 28, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

SIXTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, January 28, 2022

PRAYER

The prayer was offered by Senator McCollister.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Geist.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Hughes presiding.

The roll was called and all members were present except Senator M. Hansen who was excused; and Senators J. Cavanaugh, M. Cavanaugh, Day, DeBoer, Morfeld, Stinner, and Walz who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifteenth day was approved.

COMMITTEE REPORT(S)

Health and Human Services

LEGISLATIVE BILL 1004. Placed on General File.

(Signed) John Arch, Chairperson

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 27, 2022, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.
American Communications Group, Inc.
  City of Norfolk
  Together We Achieve Miracles Inc - Ernie Chambers History-Arts-Humanities Museum
Carroll-Shern, Linda
  Pharmaceutical Research and Manufacturers of America
Catalyst Public Affairs
  American National Bank
  Omaha Municipal Land Bank
CP Strategies LLC
  Summit Carbon Solutions
Davis, Jeffrey N.
  Burlington Northern Sante Fe (BNSF) Railway Company
Ehlert, Tim
  Amazon.com Services LLC
Ewer, Brett
  CrossFit, LLC
Fallabel, Christine
  Dexcom, Inc.
Houghton Bradford Whitted PC, LLO
  City of Ralston
  Joslyn Art Museum
  Madonna Rehabilitation Hospital
Irsik, Ryan
  Walmart Inc.
Jensen Rogert Associates, Inc.
  Nebraska Association of Former State Legislators
Kelley Plucker, LLC
  Lincoln Police Union
  Radcliffe, Walter H. of Radcliffe Gilbertson & Brady
Kruse Company
  Welcome Home
Lee-Chambers, Gayla
  Together We Achieve Miracles Inc - Ernie Chambers History-Arts-Humanities Museum
Linehan, Katie
  American Federation for Children
Lucariello, Katelin
  Pharmaceutical Research and Manufacturers of America
Murty, Dayton
  Charter Communications, Inc.
Ostrow, Sean
  Bally's Corporation
  BetMGM, LLC
  DraftKings Inc.
  FanDuel Group
RESOLUTION(S)

LEGISLATIVE RESOLUTION 289. Introduced by Slama, 1.

WHEREAS, Jeremy Goldsberry was born on August 1, 1975, and was raised and graduated high school in southeast Nebraska; and
WHEREAS, Jeremy Goldsberry worked in law enforcement in Richardson County for much of the last 20 years, working for the Iowa Tribe, the Falls City Police Department, and the Richardson County Sheriff's Office; and
WHEREAS, Jeremy Goldsberry was a well-respected Sergeant of the Richardson County Sheriff's Office at the time of his death; and
WHEREAS, Jeremy Goldsberry portrayed a deep love for his family, community, and state; and
WHEREAS, Jeremy Goldsberry passed away suddenly at the age of 46 in Falls City, Nebraska, on January 9, 2022; and
WHEREAS, Jeremy Goldsberry will be greatly missed by his family, friends, and colleagues.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature honors Mr. Jeremy Goldsberry for his service to Southeast Nebraska and beyond.
2. That the Legislature offers its condolences to the family of Jeremy Goldsberry.
3. That a copy of this resolution be sent to the family of Jeremy Goldsberry.

Laid over.
MOTION(S) - Return LR14 to Select File

Senator McCollister moved to return LR14 to Select File for the following specific amendment:

FA67

Strike the enacting clause.

SPEAKER HILGERS PRESIDING

Senator Halloran offered the following motion:

MO135

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Halloran requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 33:

Albrecht   Clements   Gragert   Kolterman   Pahls
Arch      DeBoer     Groene   Lindstrom   Sanders
Bostar    Dorn       Halloran Linehan    Slama
Bostelman Erdman    Hansen, B. Lowe    Wayne
Brandt    Flood      Hilgers   McDonnell Williams
Brewer    Friesen    Hilkemann Moser
Briese    Geist      Hughes   Murman

Voting in the negative, 10:

Cavanaugh, J. Hunt        McCollister Morfeld   Vargas
Cavanaugh, M. Lathrop    McKinney Pansing Brooks Wishart

Present and not voting, 4:

Aguilar    Blood       Day        Walz

Excused and not voting, 2:

Hansen, M. Stinner

The Halloran motion to invoke cloture prevailed with 33 ayes, 10 nays, 4 present and not voting, and 2 excused and not voting.

The McCollister motion to return to Select File failed with 8 ayes, 36 nays, 3 present and not voting, and 2 excused and not voting.

RESOLUTION ON FINAL READING

The following resolution was read and put upon final passage:

LEGISLATIVE RESOLUTION 14.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. The Legislature of the State of Nebraska hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.

2. The Clerk of the Legislature shall transmit copies of this application to the President and Secretary of the United States Senate, to the Speaker and Clerk of the United States House of Representatives, to the members of the Senate and House of Representatives from this state, and to the presiding officers of each of the legislative houses in the several states, requesting their cooperation.

3. This application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject.

4. This application will be rescinded as of February 1, 2027.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the resolution pass?'"

Voting in the affirmative, 32:

Arch DeBoer Groene Lindstrom Sanders
Bostar Dorn Halloran Linehan Slama
Bostelman Erdman Hansen, B. Lowe Wayne
Brandt Flood Hilgers McDonnell Williams
Brewer Friesen Hilkemann Moser
Briese Geist Hughes Murman
Clements Gragert Kolterman Pahls

Voting in the negative, 11:

Albrecht Hunt McKinney Vargas
Cavanaugh, J. Lathrop Morfeld Wishart
Cavanaugh, M. McCollister Pansing Brooks

Present and not voting, 4:

Aguilar Blood Day Walz

Excused and not voting, 2:
Hansen, M. Stinner

A constitutional majority having voted in the affirmative, the resolution was declared passed.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR14.

NOTICE OF COMMITTEE HEARING(S)

Appropriations
Room 1524 1:30 PM

Tuesday, February 8, 2022
LB788
LB1032
LB1071
LB759
LB1090
LB1114
LB1156

(Signed) John Stinner, Chairperson

Transportation and Telecommunications
Room 1113 1:30 PM

Tuesday, February 8, 2022
LB914
LB1101
LB1214
LB1021
LB1144

Monday, February 14, 2022
LB1266
LB1166
LB1145
LB1110

Tuesday, February 15, 2022
LB761
LB1208
LB1234
LB916
REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

McCaslin, Thomas R. - Nebraska Motor Vehicle Industry Licensing Board - Transportation and Telecommunications

(Signed) Dan Hughes, Chairperson

EXECUTIVE BOARD COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 986. Placed on General File with amendment. AM1702 is available in the Bill Room.

(Signed) Lou Ann Linehan, Chairperson

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB999: AM1680

1. Strike original section 1 and insert the following new section:
2. Section 1. (1) On or before January 1, 2023, the Nebraska Department of Transportation shall apply to the United States Department of Transportation for grants described in subsection (2) of this section, to be used for the purposes stated in subsection (3) of this section.
3. (2) Grants to be applied for under this section include grants awarded under:
4. (a) The Reconnecting Communities Pilot Program under the federal Infrastructure Investment and Jobs Act, Public Law 117-58;
5. (b) The National Infrastructure Project Assistance grant program under the federal Infrastructure Investment and Jobs Act, Public Law 117-58;
6. (c) The federal Rebuilding American Infrastructure with Sustainability and Equity (RAISE) program;
7. (d) The federal Infrastructure for Rebuilding America (INFRA) discretionary grant program;
8. (e) The federal Build Back Better Act, H.R. 5376, 117th Cong;
9. (f) Any similar federal infrastructure funding mechanisms.
10. (3) If the Nebraska Department of Transportation obtains such federal funds in a sufficient amount, the department shall use such funds to construct a new bridge crossing over a navigable river. Such crossing shall be within a city of the metropolitan class.
Senator Wayne filed the following amendment to LB798:

AM1708

1. Insert the following new sections:

Sec. 2. Section 18-2147, Revised Statutes Supplement, 2021, is amended to read:

4 18-2147 (1) Any redevelopment plan as originally approved or as later modified pursuant to section 18-2117 may contain a provision that
5 any ad valorem tax levied upon real property, or any portion thereof, in a redevelopment project for the benefit of any public body shall be
6 divided, for the applicable period described in subsection (3) of this section, as follows:
7 (a) That portion of the ad valorem tax which is produced by the levy
8 on the rates fixed each year by or for each such public body upon the
9 redevelopment project valuation shall be paid into the funds of each such
10 public body in the same proportion as are all other taxes collected by or
11 for the body. When there is not a redevelopment project valuation on a
12 parcel or parcels, the county assessor shall determine the redevelopment
13 project valuation based upon the fair market valuation of the parcel or
14 parcels as of January 1 of the year prior to the year that the ad valorem
15 taxes are to be divided. The county assessor shall provide written notice
16 of the redevelopment project valuation to the authority as defined in
17 section 18-2103 and the owner. The authority or owner may protest the
18 valuation to the county board of equalization within thirty days after
19 the date of the valuation notice. All provisions of section 77-1502
20 except dates for filing of a protest, the period for hearing protests,
21 and the date for mailing notice of the county board of equalization's
22 decision are applicable to any protest filed pursuant to this section.
23 The county board of equalization shall decide any protest filed pursuant
24 to this section within thirty days after the filing of the protest. The
25 county clerk shall mail a copy of the decision made by the county board
26 of equalization on protests pursuant to this section to the authority or
27 owner within seven days after the board's decision. Any decision of the
28 county board of equalization may be appealed to the Tax Equalization and
29 Review Commission, in accordance with section 77-5013, within thirty days
30 after the date of the decision;
31 (b) That portion of the ad valorem tax on real property, as provided
32 in the redevelopment contract, bond resolution, or redevelopment plan, as
33 applicable, in the redevelopment project in excess of such amount, if
34 any, shall be allocated to and, when collected, paid into a special fund
35 of the authority to be used solely to pay the principal of, the interest
36 on, and any premiums due in connection with the bonds of, loans, notes,
37 or advances of money to, or indebtedness incurred by, whether funded,
38 refunded, assumed, or otherwise, such authority for financing or
39 refinancing, in whole or in part, the redevelopment project. When such
40 bonds, loans, notes, advances of money, or indebtedness, including
41 interest and premiums due, have been paid, the authority shall so notify
42 the county assessor and county treasurer and all ad valorem taxes upon
43 taxable real property in such a redevelopment project shall be paid into
44 the funds of the respective public bodies. An authority may use a single
45 fund for purposes of this subdivision for all redevelopment projects or
46 may use a separate fund for each redevelopment project; and
47 (c) Any interest and penalties due for delinquent taxes shall be
48 paid into the funds of each public body in the same proportion as are all
49 other taxes collected by or for the public body.
50 (2) To the extent that a redevelopment plan authorizes the division
51 of ad valorem taxes levied upon only a portion of the real property
52 included in such redevelopment plan, any improvements funded by such
53 division of taxes shall be related to the redevelopment plan that
54 authorized such division of taxes.
55 (3)(a) For redevelopment plans that receive an expedited review
1 under section 18-2155, ad valorem taxes shall be divided for a period not
2 to exceed ten years after the effective date as identified in the
3 redevelopment plan.
4 (b) For any redevelopment plan for which more than fifty percent of
5 the property in the redevelopment project area has been declared an
6 extremely blighted area in accordance with section 18-2101.02, ad valorem
7 taxes shall be divided for a period not to exceed twenty years after the
8 effective date as identified in the project redevelopment contract or in
9 the resolution of the authority authorizing the issuance of bonds
10 pursuant to section 18-2124. On and after the effective date of this act,
11 no redevelopment plan shall contain a provision dividing ad valorem taxes
12 for the period described in this subdivision unless the governing body of
13 the city has adopted policies and procedures as required in subsection
14 (2) of section 18-2101.02.
15 (c) For all other redevelopment plans, ad valorem taxes shall be
16 divided for a period not to exceed fifteen years after the effective date
17 as identified in the project redevelopment contract or in the resolution
18 of the authority authorizing the issuance of bonds pursuant to section
19 18-2124.
20 (d) The effective date of a provision dividing ad valorem taxes as
21 provided in subsection (3) of this section shall not occur until such
22 time as the real property in the redevelopment project is within the
23 corporate boundaries of the city. This subsection shall not apply to a
24 redevelopment project involving a formerly used defense site as
25 authorized in section 18-2123.01.
26 (5) Beginning August 1, 2006, all notices of the provision for
27 dividing ad valorem taxes shall be sent by the authority to the county
28 assessor on forms prescribed by the Property Tax Administrator. The
29 notice shall be sent to the county assessor on or before August 1 of the
30 year of the effective date of the provision. Failure to satisfy the
31 notice requirement of this section shall result in the taxes, for all
32 taxable years affected by the failure to give notice of the effective
33 date of the provision, remaining undivided and being paid into the funds
34 for each public body receiving property taxes generated by the property
35 in the redevelopment project. However, the redevelopment project
36 valuation for the remaining division of ad valorem taxes in accordance
37 with subdivisions (1)(a) and (b) of this section shall be the last
38 certified valuation for the taxable year prior to the effective date of
39 the provision to divide the taxes for the remaining portion of the ten,
40 twenty, or fifteen-year period pursuant to subsection (3) of
41 this section.
42 Sec. 4. Since an emergency exists, this act takes effect when passed
43 and approved according to law.
44 3. On page 3, after line 16 insert the following new subsection:
45 "(7) On and after the effective date of this act, no city shall
46 declare an area to be an extremely blighted area unless the governing
47 body of the city has adopted policies and procedures designed to ensure
48 that any redevelopment plan that will divide ad valorem taxes for a
49 period of up to twenty years as provided in subdivision (3)(b) of section
50 18-2147 is utilized for specific goals established by the city. Such
51 goals shall include, but not be limited to:
52 (a) Development of affordable housing;
53 (b) Flood mitigation;
54 (c) Preservation of historic buildings; and
55 (d) Remediation of poverty in established residential
56 neighborhoods."
56 3. Renumber the remaining section and correct the repealer
57 accordingly.
SELECT FILE

LEGISLATIVE BILL 568. Senator Pansing Brooks renewed her amendment, AM1570, found on page 339 and considered on pages 450 and 456.

Pending.

MOTION(S) - Withdraw LB1126

Senator M. Cavanaugh offered her motion, MO134, found on page 456, to withdraw LB1126.

The M. Cavanaugh motion to withdraw the bill prevailed with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

PRESENTED TO THE SECRETARY OF STATE

Presented to the Secretary of State on January 28, 2022, at 11:29 a.m. was the following: LR14.

(Signed) Carol Koranda
Clerk of the Legislature's Office

AMENDMENT(S) - Print in Journal

Senator Groene filed the following amendment to LB568:
AM1697
(Amendments to E&R amendments, ER93)
1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Section 43-2404.03, Reissue Revised Statutes of Nebraska,
4 is amended to read:
5 43-2404.03 It is the intent of the Legislature to appropriate five
6 million dollars from the General Fund each fiscal year through fiscal
7 year 2022-23 and eight million five hundred thousand dollars from the
8 General Fund for fiscal year 2023-24 and each fiscal year thereafter to
9 the Community-based Juvenile Services Aid Program.
10 Sec. 2. Original section 43-2404.03, Reissue Revised Statutes of
11 Nebraska, is repealed.

Senator Arch filed the following amendment to LB376:
AM1707
(Amendments to Standing Committee amendments, AM1307)
1 1. Insert the following new sections:
2 Sec. 5. If the federal Centers for Medicare and Medicaid Services
3 denies the 1915(e) waiver required to be submitted in section 2 of this
4 act, the family support program outlined in sections 2 to 4 of this act
5 shall not be implemented until such waiver or other mechanism authorizing
6 the program is approved. The Department of Health and Human Services
7 shall submit a new waiver application or seek other mechanisms for
8 approval if such application is denied.
9 Sec. 7. Section 83-1201, Revised Statutes Cumulative Supplement,
1020, is amended to read:
1183-1201 Sections 83-1201 to 83-1227 and section 8 of this act shall
12be known and may be cited as the Developmental Disabilities Services Act.
13Sec. 8. (1) The Department of Health and Human Services shall
14engage a nationally recognized consultant to provide an evaluation of the
15state's developmental disabilities system in order to examine how the
16State of Nebraska can better serve all Nebraskans with a variety of
17developmental disabilities.
18(2) The consultant shall be independent of the Department of Health
19and Human Services and be a national entity that can demonstrate:
20(a) Direct involvement with public and tribal developmental
21disabilities agencies;
22(b) Partnerships with national advocacy organizations, think tanks,
23or technical assistance providers for persons with developmental
24disabilities;
25(c) Collaboration with community agencies for persons with
26developmental disabilities; and
27(d) Independent research regarding developmental disabilities.
28(3) The evaluation shall analyze the array of services and programs
29existing in Nebraska for persons with developmental disabilities and
30address potential areas for improvement with an emphasis on maximizing
31impact, effectiveness, and cost-efficiencies. The evaluation shall
32consider: (a) Services offered and provided by the state through the
33medicaid state plan or by current medicaid waivers; (b) services offered
34by other states through medicaid state plans, medicaid waivers, or other
35mechanisms; and (c) any other areas which may be beneficial to the state
36in the assessment of its developmental disabilities services.
37(4) The consultant shall electronically deliver a report detailing
38the findings and recommendations of the consultant to the Governor, the
39Department of Health and Human Services, the chairperson of the Health
40and Human Services Committee of the Legislature, and the Clerk of the
41Legislature on or before December 31, 2023.
422. On page 3, line 25, after “method” insert “as provided in
43section 4 of this act.”
443. Renumber the remaining sections and correct the repealer
45accordingly.

Senator Briese filed the following amendment to LB986:
FA68
Insert a comma “,” after the word “known” in Section 1 Line 1

Senator Briese filed the following amendment to LB986:
FA69
Amend AM1702
Insert a comma “,” after the word “known” on Page 1 Line 3

ANNOUNCEMENT

Senator Arch announced the Health and Human Services Committee will
hold an executive session Monday, January 31, 2022, at 9:30 a.m., in Room
1510.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 290. Introduced by Pansing Brooks, 28;
Aguilar, 35; Albrecht, 17; Blood, 3; Bostelman, 23; Brandt, 32; Brewer, 43;
WHEREAS, Professor Anna W. Shavers, J.D., will be remembered as a champion of diversity and inclusion at the University of Nebraska-Lincoln, in her community, and in the field of law; and
WHEREAS, the State of Nebraska owes Professor Shavers a great debt of gratitude for her unyielding endeavors to solve trafficking, racism, immigration, gender, and other equity issues throughout her career; and
WHEREAS, prior to coming to Nebraska, Professor Shavers practiced law in Minnesota and served as an Associate Clinical Professor at the University of Minnesota Law School, establishing the University’s first immigration law clinic; and
WHEREAS, Professor Shavers has been a member of the University of Nebraska College of Law faculty since 1989 and has held the titles of Associate Dean for Diversity and Inclusion as well as the Cline Williams Professor of Citizenship Law; and
WHEREAS, Professor Shavers served in a variety of roles for the University of Nebraska-Lincoln including Interim/Acting Dean for the College of Law, Co-Chairperson for the planning team of the Interdisciplinary Conference on Human Trafficking, and Co-Leader of the Journey for Anti-Racism and Racial Equity Initiative; and
WHEREAS, Professor Shavers was a national and international expert on immigration, human trafficking, and administrative law issues; and
WHEREAS, Professor Shavers is recognized as an inspirational mentor to students and legal professionals across the country; and
WHEREAS, Professor Shavers passed away on January 22, 2022; and
WHEREAS, Professor Anna W. Shavers will be greatly missed by her family, friends, colleagues, students, and all of those for whom she advocated in her relentless defense of Human Rights.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature honors Professor Anna W. Shavers, J.D., for her lifelong personal and professional dedication to education, diversity, and inclusion at the University of Nebraska College of Law, in her community, and in her everyday life.
2. That the Legislature recognizes Professor Anna W. Shavers for her endeavors to solve trafficking, racism, and equity issues.
3. That the Legislature offers its condolences and gratitude to the family of Professor Anna W. Shavers.
4. That copies of this resolution be sent to the family of Professor Anna W. Shavers and the Schmid Law Library at the University of Nebraska College of Law.

Laid over.
UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Murman name added to LB845.
Senator Briese name added to LB906.
Senator Brewer name added to LB1265.
Senator Brewer name added to LB1272.

VISITOR(S)

Visitors to the Chamber were fifth- and eighth-grade students from Blessed Sacrament School, Lincoln.

The Doctor of the Day was Dr. Joe Miller of Omaha

ADJOURNMENT

At 11:58 a.m., on a motion by Senator Friesen, the Legislature adjourned until 10:00 a.m., Monday, January 31, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
SEVENTEENTH DAY - JANUARY 31, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

SEVENTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, January 31, 2022

PRAYER

The prayer was offered by Senator Lowe.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Gragert.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Speaker Hilgers presiding.

The roll was called and all members were present except Senators Bostar, Briese, Day, Hunt, Linehan, Morfeld, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixteenth day was approved.

NOTICE OF COMMITTEE HEARING(S)

Health and Human Services
Room 1510 1:30 PM

Wednesday, February 9, 2022
LB1113
LB1173

Thursday, February 10, 2022
LB698
LB895
LB857
Friday, February 11, 2022
LB1044
LB865
LB1091
LB1007

Wednesday, February 16, 2022
LB1136
LB856
LB1243

Thursday, February 17, 2022
LB756
LB956
LB954

Wednesday, February 23, 2022
LB710
LB1107

Thursday, February 24, 2022
LB1129
LB716

Friday, February 25, 2022
LB885
LB1106

Wednesday, March 2, 2022
LB859
LB963

(Signed)  John Arch, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

Albrecht - LB1213

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 280, 285, and 286 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 280, 285, and 286.
SELECT FILE

LEGISLATIVE BILL 568. Senator Pansing Brooks withdrew her amendment, AM1510, found on page 339 and considered on pages 450, 456, and 468.

Senator Groene withdrew his amendment, AM1464, found on page 414.

Senator Groene offered his amendment, AM1697, found on page 468.

Senator Pansing Brooks offered the following motion:

MO136
Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Pansing Brooks moved for a call of the house. The motion prevailed with 31 ayes, 4 nays, and 14 not voting.

Senator Pansing Brooks requested a roll call vote, in reverse order, on the motion to invoke cloture.

Voting in the affirmative, 26:

Aguilar      Day      Kolterman      Pahls      Williams
Blood        DeBoer    Lathrop      Pansing Brooks Wishart
Bostelman    Dorn      McCollister  Stinner
Brandt       Hansen, M. McDonnell  Vargas
Cavanaugh, J. Hilkemann  McKinney  Walz
Cavanaugh, M. Hunt      Morfeld      Wayne

Voting in the negative, 18:

Albrecht     Erdman    Gragert      Hughes      Sanders
Arch         Flood     Groene      Lowe        Slama
Briese       Friesen   Halloran   Moser
Clements     Geist     Hilgers    Murman

Excused and not voting, 5:

Bostar       Brewer    Hansen, B. Lindstrom   Linehan

The Pansing Brooks motion to invoke cloture failed with 26 ayes, 18 nays, and 5 excused and not voting.

NOTICE OF COMMITTEE HEARING(S)
Appropriations
Room 1003 1:30 PM
Wednesday, February 9, 2022
LB755  
LB970  
LB783  
LB1006  
LB1277  

Thursday, February 10, 2022
LB1232  
LB1233  
LB1088  
LB722  

Friday, February 11, 2022
LB1152  
LB1228  
LB1195  
LB1202  
LB1224  
LB1229  

Monday, February 14, 2022
LB1025  
LB1238  
LB1210  
LB1120  
LB1163  

Tuesday, February 15, 2022
LB968  
LB1033  
LB1070  
LB1252  
LB940  
LB1041  
LB1142  

Wednesday, February 16, 2022
LB699  
LB977  
LB969  
LB1100  
LB1125  

Thursday, February 17, 2022
LB703  
LB721  
LB766  
LB904
LB950
LB961
LB962
LB1054

Tuesday, February 22, 2022
LB996
LB1055
LB1089
LB1269
LB1183
LB1066
LB1172

Wednesday, February 23, 2022
LB1267
LB760
LB1194
LB1199
LB1257

Thursday, February 24, 2022
LB1167
LB1072
LB1063
LB1206

Friday, February 25, 2022
LB867
LB1221
LB959
LB1075
LB1076
LB1254

Monday, February 28, 2022
LB696
LB1085
LB1182
LB1198
LB1220
LB1240
LB1217

Tuesday, March 1, 2022
LB1161
LB1162
LB1087
Wednesday, March 2, 2022
LB1141
LB1002
LB1052
LB1159
LB1201
LB1193

Thursday, March 3, 2022
LB1160
LB1248
LB1191
LB1196
LB1048
LB1255

(Signed)  John Stinner, Chairperson

AMENDMENT(S) - Print in Journal

Senator Lathrop filed the following amendment to LB1190:
AM1706
1 1. On page 2, lines 12 and 21, and page 3, lines 2 and 8, after
2 "disability" insert "or end-stage renal disease".

Senator Kolterman filed the following amendment to LB1043:
AM1667
1 1. On page 14, lines 2 and 20, strike "public school" and insert
2 "school district or educational service unit"; and in lines 4 and 14
3 strike "public" and after "school" insert "district or an educational
4 service unit".
5 2. On page 15, strike beginning with the second "school" in line 1
6 through "employer" in line 3 and insert "state school official"; and in
7 line 6 strike "public school" and insert "school district or an
8 educational service unit".

GENERAL FILE

LEGISLATIVE BILL 767. Title read. Considered.

Committee AM1643, found on page 432, was offered.

Pending.
ANNOUNCEMENT(S)

Priority designation(s) received:
Sanders - LB1158

NOTICE OF COMMITTEE HEARING(S)

General Affairs
Room 1510 1:30 PM

Monday, February 14, 2022
LB866
LB840
LB1256

Monday, February 28, 2022
LB1268
LB1109
LB1239

(Signed) Tom Bries, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Blood name added to LB376.
Senator Bostar name added to LB825.
Senator Gragert name added to LB933.
Senator Lindstrom name added to LB933.
Senator Sanders name added to LB933.
Senator Bostelman name added to LB933.
Senator Lowe name added to LB933.
Senator Lindstrom name added to LB1086.
Senator Bostelman name added to LB1213.
Senator Gragert name added to LB1213.
Senator Murman name added to LB1213.

VISITOR(S)

Visitors to the Chamber were Senator Erdman's wife, Cathy, from Bayard, and sister, Jennifer Batholomew, from Ohio.

The Doctor of the Day was Dr. Erika Rothgeb of Omaha.
ADJOURNMENT

At 11:55 a.m., on a motion by Senator Brandt, the Legislature adjourned until 9:00 a.m., Tuesday, February 1, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
EIGHTEENTH DAY - FEBRUARY 1, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

EIGHTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 1, 2022

PRAYER

The prayer was offered by Senator Arch.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Halloran.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Bostar, Day, DeBoer, Flood, B. Hansen, Hilkemann, Hunt, Lathrop, Linehan, McCollister, Morfeld, Pansing Brooks, Walz, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the seventeenth day was approved.

COMMITTEE REPORT(S)

Health and Human Services

LEGISLATIVE BILL 704. Placed on General File.
LEGISLATIVE BILL 855. Placed on General File.

LEGISLATIVE BILL 374. Placed on General File with amendment.

AM1504
1 1. On page 2, strike beginning with "chief" in line 15 through
2 "Services" in line 16 and insert "Governor".
3 2. On page 3, strike beginning with "chief" in line 8 through
4 "Services" in line 9 and insert "Governor", in line 12 strike "two" and
5 insert "four"; in line 13 strike "If there is no suitable successor who
6 meets the criteria, the" and insert "A"; in line 14 strike "can" and
LEGISLATIVE BILL 541. Placed on General File with amendment.

AM1518

1. Strike the original sections and insert the following new sections:

3 Section 1. Section 43-4215, Reissue Revised Statutes of Nebraska, is amended to read:
4 43-4215 (1) On or before July 1, 2014, the Division of Children and Family Services of the Department of Health and Human Services shall implement the reimbursement rate recommendations of the Foster Care Reimbursement Rate Committee as reported to the Legislature pursuant to section 43-4212 as such section existed before June 5, 2013.
5 (2) It is the intent of the Legislature to create additional levels of caregiving for youth in foster care and to create an implementation plan for treatment family care services in order to expand the service array for high-acute youth in the foster care system.
6 (3) The Legislature finds that (a) there is a need for consistency in the implementation of additional tiers of caregiving across the state, (b) additional tiers of caregiving and reimbursement exist in the continuum of foster care services available in Nebraska, however, there is a variation in the rates, implementation and outcomes, (c) the use of rates outside of the established rate structure can create barriers to permanency for children entering adoption and guardianship and prohibits the state from accessing federal foster care funds that would otherwise be available under Title IV-E of the federal Social Security Act, and (d) additional tiers of caregiving should be utilized to support the exceptional caregiving needs of youth who are at risk of entering, or who are stepping down from, congregate treatment placement, and (b) treatment family care services use blended funding to support caregivers and prevent placement disruption.
7 (5) On or before October 1, 2022, the Division of Children and Family Services of the Department of Health and Human Services shall, in collaboration with the Foster Care Reimbursement Rate Committee, implement additional statewide tiers of foster care reimbursements for specialized caregiving with standardized rates for foster parents and child placing agencies.
8 (6)(a) On or before July 1, 2013, the Division of Children and Family Services of the Department of Health and Human Services shall develop a pilot project as provided in this subsection to implement the standardized level of care assessment tools recommended by the Foster Care Reimbursement Rate Committee as reported to the Legislature pursuant to section 43-4212 as such section existed before June 5, 2013.
9 (b)(i) The pilot project shall comprise two groups: One in an urban area and one in a rural area. The size of each group shall be determined by the division to ensure an accurate estimate of the effectiveness and cost of implementing such tools statewide.
10 (ii) The Nebraska Children's Commission shall review and provide a progress report on the pilot project by October 1, 2013, to the department and electronically to the Health and Human Services Committee of the Legislature; shall provide to the department and electronically to the committee by December 1, 2013, a report including recommendations and any legislation necessary, including appropriations, to adopt the
26 recommendations, regarding the adaptation or continuation of the
27 implementation of a statewide standardized level of care assessment; and
28 shall provide to the department and electronically to the committee by
29 February 1, 2014, a final report and final recommendations of the
30 commission.
31 Sec. 2. Section 68-1210, Reissue Revised Statutes of Nebraska, is
1 amended to read:
2 68-1210 (1) Notwithstanding any other provision of law, the
3 Department of Health and Human Services shall have the authority through
4 rule or regulation to establish payment rates for children with special
5 needs who are in foster care and in the custody of the department.
6 (2)(a) On or before October 1, 2022, the Division of Medicaid and
7 Long-Term Care and the Division of Children and Family Services of the
8 Department of Health and Human Services shall develop a plan to implement
9 treatment family care services. The plan shall be submitted to the Health
10 and Human Services Committee of the Legislature and the Nebraska
11 Children's Commission.
12 (b) On or before October 1, 2023, the Division of Medicaid and Long-
13 Term Care shall implement treatment family care services as allowed by
14 federal law. The department shall seek to maximize federal funding for
15 such program prior to utilizing state medicaid funds for eligible
16 children.
17 Sec. 3. Original sections 43-4215 and 68-1210, Reissue Revised
18 Statutes of Nebraska, are repealed.
19 Sec. 4. Since an emergency exists, this act takes effect when
20 passed and approved according to law.

LEGISLATIVE BILL 697. Placed on General File with amendment.
AM1613
1 1. On page 2, line 22, after "Act" insert "and any other transfer
2 agreement necessary for patient care".

LEGISLATIVE BILL 705. Placed on General File with amendment.
AM1653
1 1. Insert the following new section:
2 Sec. 6. Since an emergency exists, this act takes effect when passed
3 and approved according to law.

LEGISLATIVE BILL 741. Placed on General File with amendment.
AM1683 is available in the Bill Room.

LEGISLATIVE BILL 824. Placed on General File with amendment.
AM1604
1 1. Strike original section 1.
2 2. Renumber the remaining sections and correct the repealer
3 accordingly.

LEGISLATIVE BILL 905. Placed on General File with amendment.
AM1609
1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 38-201, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 38-201 Sections 38-201 to 38-212 and sections 3 to 7 of this act
6 shall be known and may be cited as the Advanced Practice Registered Nurse
7 Practice Act.
8 Sec. 2. Section 38-203, Reissue Revised Statutes of Nebraska, is
amended to read:

10 38-203 For purposes of the Advanced Practice Registered Nurse
11 Practice Act and elsewhere in the Uniform Credentialing Act, unless the
12 context otherwise requires, the definitions found in section
13 38-204 and sections 3 to 6 of this act apply.
14 Sec. 3. Perinatal mental health disorder means a mental health
15 condition that occurs during pregnancy or during the postpartum period,
16 including depression, anxiety, or postpartum psychosis.
17 Sec. 4. Post-natal care means an office visit to an advanced
18 practice registered nurse occurring after birth, with reference to the
19 infant or mother.
20 Sec. 5. Prenatal care means an office visit to an advanced practice
21 registered nurse for pregnancy-related care occurring before birth.
22 Sec. 6. Questionnaire means a screening tool administered by an
23 advanced practice registered nurse to detect perinatal mental health
24 disorders, such as the Edinburgh Postnatal Depression Scale, the
25 Postpartum Depression Screening Scale, the Beck Depression Inventory, the
26 Patient Health Questionnaire, or other validated screening methods.
27 Sec. 7. The board may work with accredited hospitals, advanced
28 practice registered nurses, and licensed health care professionals and
29 may create a referral network in Nebraska to develop policies,
30 procedures, information, and educational materials to meet each of the
31 following requirements concerning perinatal mental health disorders:
32 (1) An advanced practice registered nurse providing prenatal care
33 may:
34 (a) Provide education to a pregnant patient and, if possible and
35 with permission, to the patient's family about perinatal mental health
36 disorders in accordance with the formal opinions and recommendations of
37 the American College of Obstetricians and Gynecologists; and
38 (b) In order each pregnant patient to complete a questionnaire in
39 accordance with the formal opinions and recommendations of the American
40 College of Obstetricians and Gynecologists. Screening for perinatal
41 mental health disorders may be repeated when, in the professional
42 judgment of the advanced practice registered nurse, the patient is at
43 increased risk for developing a perinatal mental health disorder;
44 (2) An advanced practice registered nurse providing postnatal care
45 may invite each postpartum patient to complete a questionnaire and if
46 completed, shall review the questionnaire in accordance with the formal
47 opinions and recommendations of the American College of Obstetricians and
48 Gynecologists; and
49 (3) An advanced practice registered nurse providing pediatric care
50 to an infant may invite the infant's mother to complete a questionnaire
51 at any well-child checkup occurring during the first year of life at
52 which the mother is present, and if completed, shall review the
53 questionnaire in accordance with the formal opinions and recommendations
54 of the American Academy of Pediatrics, in order to ensure that the health
55 and well-being of the infant are not compromised by an undiagnosed
56 perinatal mental health disorder in the mother.
57 Sec. 8. Section 38-2001, Revised Statutes Cumulative Supplement,
58 2020, is amended to read:
59 1 38-2001 Sections 38-2001 to 38-2062 and sections 10 to 15 of this
60 act shall be known and may be cited as the Medicine and Surgery Practice
61 Act.
62 Sec. 9. Section 38-2002, Revised Statutes Cumulative Supplement,
63 2020, is amended to read:
64 1 38-2002 For the purposes of the Medicine and Surgery Practice Act
65 and elsewhere in the Uniform Credentialing Act, unless the context
66 otherwise requires, the definitions found in sections 38-2003 to 38-2022
67 and sections 10 to 14 of this act apply.
68 Sec. 10. Licensed health care professional means a physician, an
LEIGSLATIVE BILL 906. Placed on General File with amendment.

AM1729

1. Strike the original sections and all amendments thereto and
2. insert the following new sections:
3 Section 1. (1) For purposes of this section:
4 (a) COVID-19 means the novel coronavirus identified as SARS-CoV-2;
5 any disease caused by SARS-CoV-2, its viral fragments, or a virus
6 mutation therefrom; and all conditions associated with the disease which
7 are caused by SARS-CoV-2, its viral fragments, or a virus mutation
8 therefrom;
9 (b) Department means the Department of Health and Human Services;
10 (c) Employer means a person engaged in an industry who has one or
more employees;
(ii) Employer also includes any party whose business is financed in 
whole or in part under the Nebraska Investment Finance Authority Act 
regardless of the number of employees and includes the State of Nebraska, 
governmental agencies, and political subdivisions; and 
wholly owned by the government of the United States, or an Indian tribe 
or (B) a bona fide private membership club, other than a labor 
organization, which is exempt from taxation under section 501(c) of the 
Internal Revenue Code;
(d) Health care practitioner means a person licensed under (i) the 
Medicine and Surgery Practice Act to practice medicine and surgery or 
osteopathic medicine and surgery, (ii) the Medicine and Surgery Practice 
Act to practice as a physician assistant, or (iii) the Advanced Practice 
Registered Nurse Practice Act to practice as an advanced practice 
registered nurse; and 
(e) Vaccine exemption form means the form created by the department 
under subsection (2) of this section.
(2)(a) The department shall develop a vaccine exemption form for an 
individual to claim an exemption from receiving a COVID-19 vaccine as 
provided in this section. The department shall make the form available on 
the department's website.
(b) The form shall include a declaration by the individual seeking 
an exemption that:
(i) A health care practitioner has provided the individual with a 
signed written statement that, in the health care practitioner's opinion, 
(A) receiving a COVID-19 vaccine is medically contraindicated for the 
individual or (B) medical necessity requires the individual to delay 
receiving such vaccine; or 
(ii) Receiving a COVID-19 vaccine would conflict with the 
individual's sincerely held religious belief, practice, or observance.
(3) An employer that requires applicants or employees to be 
vaccinated against COVID-19 shall allow for an exemption to such 
requirement for an individual who provides the employer with:
(a) A completed vaccine exemption form; and 
(b) For an individual claiming an exemption based on the statement 
of a health care practitioner, a copy of such signed written statement.
(4) An employer may require an employee granted an exemption under 
this section to:
(a) Be periodically tested for COVID-19 at the employer's expense; 
and 
(b) Wear or use personal protective equipment provided by the 
employer.
Sec. 2. Since an emergency exists, this act takes effect when 
passed and approved according to law.

(Signed) John Arch, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

McCollister - LB709
NOTICE OF COMMITTEE HEARING(S)
Natural Resources
Room 1525 1:30 PM

Wednesday, February 9, 2022
LB1015
LB1099

Thursday, February 10, 2022
Scott B. McPheeters - Nebraska Ethanol Board
Taylor D. Nelson - Nebraska Ethanol Board
LB1023
LB1185

(Signed) Bruce Bostelman, Chairperson

MOTION(S) - Print in Journal

Senator Brewer filed the following motion to LB1056:
MO137
Withdraw LB1056.

ANNOUNCEMENT

Senator Bostelman announced the Natural Resources Committee will hold an executive session Wednesday, February 2, 2022, following the hearing in Room 1525.

GENERAL FILE

LEGISLATIVE BILL 767. Committee AM1643, found on page 432 and considered on page 478, was renewed.

The committee amendment was adopted with 41 ayes, 0 nays, 1 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 2 present and not voting, and 5 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 376. Senator M. Cavanaugh withdrew her amendment, AM1453, found on page 1487, First Session, 2021.

Senator Slama withdrew her amendment, FA55, found on page 1514, First Session, 2021.

Senator Arch withdrew his amendment, AM1646, found on page 429.
Senator Arch offered his amendment, AM1707, found on page 468.

The Arch amendment was adopted with 45 ayes, 0 nays, 3 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

NOTICE OF COMMITTEE HEARING(S)
Government, Military and Veterans Affairs
Room 1507 1:30 PM

Wednesday, February 9, 2022
LB787
LB742
LB743
LB691
LB1178

Thursday, February 10, 2022
LB1096
LB1165
LB1037
LB1064

Friday, February 11, 2022
LB1122
LB1008
LB1146
LB983

(Signed) Tom Brewer, Chairperson
Education
Room 1525 1:30 PM

Tuesday, February 8, 2022
LB1001
LB1057
LB997
LB1219
LB1170

Room 1525 2:00 PM

Monday, February 14, 2022
LB887
LB902
LB1050
Tuesday, February 15, 2022
LB888
LB1112
LB1158
LB768

(Signed) Lynne Walz, Chairperson
Urban Affairs
Room 1510 1:30 PM

Tuesday, February 8, 2022
AM1708 to LB798

(Signed) Justin Wayne, Chairperson
Agriculture
Room 1003 1:30 PM

Tuesday, February 15, 2022
LB744
LR284

(Signed) Steve Halloran, Chairperson
Executive Board
Room 1525 12:00 PM

Tuesday, February 8, 2022
LB777

(Signed) Dan Hughes, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator M. Hansen filed the following amendment to LB446:

AM1737

(Amendments to Standing Committee amendments, AM86)

1. Strike the original sections and all amendments thereto and
2. insert the following new section:
3. Section 1. The Governor shall apply for all federal funds available
to this state for emergency rental and mortgage assistance and shall
5. disburse any funds received under this section. The Governor may
6. coordinate with other governmental entities to establish eligibility
7. guidelines for recipients of such funds.
GENERAL FILE

LEGISLATIVE BILL 986. Title read. Considered.

Committee AM1702, found on page 465, was offered.

Senator Briese withdrew his amendment, FA69, found on page 469.

Senator M. Hansen offered the following amendment to the committee amendment:

AM1716

1. Strike section 3.
2. Renumber the remaining sections and correct internal references accordingly.

SPEAKER HILGERS PRESIDING

Pending.

COMMITTEE REPORT(S)

Banking, Commerce and Insurance

LEGISLATIVE BILL 795. Placed on General File.
LEGISLATIVE BILL 811. Placed on General File.
LEGISLATIVE BILL 892. Placed on General File.

(Signed) Matt Williams, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

Nebraska Retirement Systems - LB700
Hilgers - LB933

AMENDMENT(S) - Print in Journal

Senator M. Hansen filed the following amendment to LB986:

AM1715

1. On page 3, strike lines 12 through 15.

ANNOUNCEMENT

Senator Brewer announced the Government, Military and Veterans Affairs Committee will hold an executive session Wednesday, February 2, 2022, following the hearing in Room 1507.
UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

- Senator Murman name added to LB774.
- Senator Morfeld name added to LB783.
- Senator Geist name added to LB933.
- Senator Murman name added to LB933.
- Senator Hughes name added to LB933.
- Senator B. Hansen name added to LB933.
- Senator Hunt name added to LB1070.
- Senator Hunt name added to LB1071.
- Senator M. Hansen name added to LB1205.
- Senator Clements name added to LB1213.

VISITOR(S)

Visitors to the Chamber were Travis and Karen Petersen, Bayard.

The Doctor of the Day was Dr. Marlon Weiss of Lincoln.

ADJOURNMENT

At 11:59 a.m., on a motion by Senator Day, the Legislature adjourned until 9:00 a.m., Wednesday, February 2, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
PRAYER
The prayer was offered by Senator Erdman.

PLEDGE OF ALLEGIANCE
The Pledge of Allegiance was offered by Senator B. Hansen.

ROLL CALL
Pursuant to adjournment, the Legislature met at 9:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Geist and Wishart who were excused; and Senators Blood, Bostar, Day, DeBoer, Hilkemann, Hughes, McCollister, Morfeld, Moser, Pansing Brooks, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL
The Journal for the eighteenth day was approved.

RESOLUTION(S)
Pursuant to Rule 4, Sec. 5(b), LR287 was adopted.

PRESIDENT SIGNED
While the Legislature was in session and capable of transacting business, the President signed the following: LR287.

GENERAL FILE
LEGISLATIVE BILL 986. Committee AM1702, found on page 465 and considered on page 490, was renewed.
Senator M. Hansen renewed his amendment, AM1716, found and considered on page 490.

**SPEAKER HILGERS PRESIDING**

**SENATOR ARCH PRESIDING**

**SPEAKER HILGERS PRESIDING**

Pending.

**MOTION(S) - Withdraw LB1056**

Senator Brewer offered his motion, MO137, found on page 487, to withdraw LB1056.

The Brewer motion to withdraw the bill prevailed with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

**COMMITTEE REPORT(S)**

Executive Board

**LEGISLATIVE BILL 708.** Placed on General File.

(Signed) Dan Hughes, Chairperson

Enrollment and Review

**LEGISLATIVE BILL 767.** Placed on Select File with amendment. ER101 is available in the Bill Room.

(Signed) Terrell McKinney, Chairperson

**NOTICE OF COMMITTEE HEARING(S)**

Revenue

Room 1524 1:30 PM

Wednesday, February 9, 2022
LB1237
LB729
LB730
LB1093
LB1176

(Signed) Lou Ann Linehan, Chairperson
Senator Erdman filed the following amendment to LB744:

AMENDMENT(S) - Print in Journal

1. Strike the original sections and insert the following new sections:

Section 1. Section 54-199, Reissue Revised Statutes of Nebraska, is amended to read:

54-199 (1) To record a brand, a person shall forward to the Nebraska Brand Committee a facsimile or description of the brand desired to be recorded, a written application, and a recording fee and research fee established by the brand committee. Such recording fee may vary according to the number of locations and methods of brand requested but shall not be more than one hundred fifty dollars per application. Such research fee shall be charged on all applications and shall not be more than fifty dollars per application.

(2) For recording of visual brands, upon receipt of a facsimile of the brand, an application, and the required fee, the brand committee shall determine compliance with the following requirements:

(a) The brand shall be an identification mark that is applied to the hide of a live animal by hot iron branding or by either hot iron branding or freeze branding. The brand shall be on either side of the animal in one of three locations, the shoulder, ribs, or hip;

(b) The brand is not recorded under the name of any other person and does not conflict with or closely resemble a prior recorded brand;

(c) The brand application specifies the left or right side of the animal and the location on that side of the animal where the brand is to be placed;

(d) The brand is not recorded as a trade name nor as the name of any profit or nonprofit corporation, unless such trade name or corporation is recorded, in current good standing, with the Secretary of State; and

(e) The brand is, in the judgment of the brand committee, legible, adequate, and of such a nature that the brand when applied can be properly read and identified by employees of the brand committee.

(3) All visual brands shall be recorded as a hot iron brand only unless a co-recording as a freeze brand or other approved method of branding is requested by the applicant. The brand committee shall approve co-recording a brand as a freeze brand unless the brand would not be distinguishable from in-herd identification applied by freeze branding.

(4) If the facsimile, the description, or the application does not comply with the requirements of this section, the brand committee shall not record such brand as requested but shall return the recording fee to the forwarding person. The power of examination and rejection is vested in the brand committee, and if the brand committee determines that the application for a visual brand falls within the category set out in subdivision (2)(e) of this section, it shall decide whether or not a recorded brand shall be issued. The brand committee shall make such examination as promptly as possible. If the brand is recorded, the ownership vests from the date of filing of the application.

(5) The brand committee may by rule and regulation provide for the
WHEREAS, John Sievers will be remembered as a leader in the Omaha community, a steadfast supporter of the military and our nation's heroes, and a pillar of the Green Beans Coffee Company community and family; and

WHEREAS, John Sievers served in the Air Force for 26 years and traveled the world as a meteorologist; and

WHEREAS, after retiring from the military in 2014, John Sievers opened in West Omaha the country's first family and veteran owned franchise of the Green Beans Coffee Company which donates a portion of proceeds to organizations that support military families and children of the fallen; and

WHEREAS, John Sievers cultivated a local community through his small business; and

WHEREAS, John Sievers was a devoted son, brother, husband, father, grandfather, and friend; and

WHEREAS, John Sievers passed away on January 28, 2022; and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature honors and recognizes Senior Master Sergeant John Sievers for his strength, generosity, and leadership throughout his life and for his years of military service.
2. That the Legislature offer its condolences and gratitude to the family of John Sievers.
3. That a copy of this resolution be sent to the family of John Sievers.

Laid over.

LEGISLATIVE RESOLUTION 292. Introduced by Linehan, 39.

WHEREAS, Peter Benedict Haas, a member of Iron Horse Troop 357 from Elkhorn, and son of Dr. John Paul and Mrs. Susanne Novak Haas completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and
WHEREAS, to achieve the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills; and
WHEREAS, to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout, a Boy Scout must demonstrate a number of specific skills; and
WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout must complete a community service project approved by the troop and the Scout Council; and
WHEREAS, for his Eagle Scout Service Project, "Play It Forward," Peter coordinated a month-long donation drive, collecting 1,969 used sporting goods on behalf of the Football for the World Foundation, to be distributed to Omaha metro-area youth whose families fall below the poverty line; and
WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout must earn 21 merit badges, 13 of which are in required areas, in addition to completing the community service project; and
WHEREAS, only a small percentage of those in Boy Scouts of America achieve the rank of Eagle Scout; and
WHEREAS, Peter, through his hard work and perseverance, joins other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature congratulates Peter Benedict Haas on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Peter Benedict Haas.

Laid over.

BILL ON FIRST READING

The following bill was read for the first time by title:
LEGISLATIVE BILL 450A. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 450, One Hundred Seventh Legislature, Second Session, 2022.

ANNOUNCEMENT

Senator Wayne announced the Urban Affairs Committee will hold an executive session Thursday, February 3, 2022, at 10:00 a.m., under the North Balcony.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Lindstrom name added to LB300.
Senator Albrecht name added to LB496.
Senator Groene name added to LB718.
Senator Albrecht name added to LB723.
Senator Bostar name added to LB783.
Senator Blood name added to LB783.
Senator Arch name added to LB933.
Senator Slama name added to LB955.
Senator Blood name added to LB1024.
Senator Albrecht name added to LB1037.
Senator Albrecht name added to LB1086.

VISITOR(S)

Visitors to the Chamber were Leadership Scottsbluff, Leadership Chadron, Heartland Expressway Association, Scottsbluff-Gering United Chamber, Northwest Nebraska Development Corporation; and members of the Nebraska Realtors Association from across Nebraska.

The Doctor of the Day was Dr. Hans Dethlefs of La Vista.

ADJOURNMENT

At 11:53 a.m., on a motion by Senator Hilkemann, the Legislature adjourned until 9:00 a.m., Thursday, February 3, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
TWENTIETH DAY - FEBRUARY 3, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

TWENTIETH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, February 3, 2022

PRAYER

The prayer was offered by Senator Dorn.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Hilkemann.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Hughes presiding.

The roll was called and all members were present except Senators Day and McDonnell who were excused; and Senators Arch, Bostar, Flood, B. Hansen, Lathrop, McCollister, Morfeld, Walz, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the nineteenth day was approved.

COMMITTEE REPORT(S)

Natural Resources

LEGISLATIVE BILL 804. Placed on General File.
LEGISLATIVE BILL 925. Placed on General File.

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Patrick L. Berggren - Nebraska Game and Parks Commission

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Douglas A. Zingula - Nebraska Game and Parks Commission


(Signed) Bruce Bostelman, Chairperson

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 2, 2022, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

DeRossett, Dennis M.	Nebraska Press Association
Givens-Dunn, Taylor
Voices for Children in Nebraska (Withdrawn 01/31/2022)
Goss, Kelly
Dialysis Patient Citizens
Johnson, Michael B.	Nebraska Chamber of Commerce & Industry
Neilan Strategy Group
Welcome Home
O'Hara Lindsay & Associates, Inc.	Self Storage Association

REPORTS

Agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website.

ANOUNCEMENT(S)

Priority designation(s) received:

Gragert - LB925
GENERAL FILE

LEGISLATIVE BILL 450A. Title read. Considered.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 5 present and not voting, and 10 excused and not voting.

ANNOUNCEMENT

The Chair announced the birthday of Senator Williams.

GENERAL FILE

LEGISLATIVE BILL 986. Committee AM1702, found on page 465 and considered on pages 490 and 493, was renewed.

Senator M. Hansen renewed his amendment, AM1716, found on page 490, and considered on pages 490 and 494.

SPEAKER HILGERS PRESIDING

Pending.

COMMITTEE REPORT(S)

Nebraska Retirement Systems

LEGISLATIVE BILL 700. Placed on General File with amendment. AM1704 is available in the Bill Room.

(Signed) Mark Kolterman, Chairperson

Revenue

LEGISLATIVE BILL 926. Indefinitely postponed.

(Signed) Lou Ann Linehan, Chairperson

Transportation and Telecommunications

LEGISLATIVE BILL 1147. Placed on General File.

LEGISLATIVE BILL 1148. Placed on General File.

(Signed) Curt Friesen, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Revenue

Room 1524 1:30 PM
Friday, February 11, 2022
LB735  
LB850  
LB873  
LB949  
LB1030

Thursday, February 10, 2022
LB818  
LB919  
LB927  
LB864  
LB1116

(Signed)  Lou Ann Linehan, Chairperson

Education
Room 1525 2:00 PM

Monday, February 14, 2022
Dennis A. Headrick - Coordinating Commission for Postsecondary Education

(Signed) Lynne Walz, Chairperson

COMMITEE REPORT(S)
Education

The Education Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Nicholas Baxter - Nebraska Educational Telecommunications Commission
Darrin Scott Good - Nebraska Educational Telecommunications Commission

Nay: 0. Absent: 0. Present and not voting: 1. McKinney.

(Signed) Lynne Walz, Chairperson

RESOLUTION(S)
Pursuant to Rule 4, Sec. 5(b), LR288 was adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR288.
GENERAL FILE

LEGISLATIVE BILL 986. Committee AM1702, found on page 465 and considered on pages 490, 493, and in this day’s Journal, was renewed.

Senator M. Hansen renewed his amendment, AM1716, found on page 490, and considered on pages 490, 494, and in this day’s Journal.

Senator Hunt filed the following motion to LB986:

   MO138
   Recommit to Revenue Committee.

Pending.

AMENDMENT(S) - Print in Journal

Senator Briese filed the following amendment to LB890:

   FA70
   Amend Committee amendment by striking Section 1

COMMITTEE REPORT(S)

   Education

LEGISLATIVE BILL 868. Placed on General File.

LEGISLATIVE BILL 890. Placed on General File with amendment. AM1756 is available in the Bill Room.

LEGISLATIVE BILL 1169. Indefinitely postponed.

   (Signed) Lynne Walz, Chairperson
   Urban Affairs

LEGISLATIVE BILL 974. Placed on General File.

   (Signed) Justin Wayne, Chairperson
   Government, Military and Veterans Affairs

LEGISLATIVE BILL 733. Placed on General File.
LEGISLATIVE BILL 769. Placed on General File.
LEGISLATIVE BILL 786. Placed on General File.
LEGISLATIVE BILL 791. Placed on General File.
LEGISLATIVE BILL 807. Placed on General File.
LEGISLATIVE BILL 847. Placed on General File.

LEGISLATIVE RESOLUTION 263CA. Placed on General File.
LEGISLATIVE RESOLUTION 271. Reported to the Legislature for further consideration.

(Signed) Tom Brewer, Chairperson

COMMITTEE REPORT(S)
Revenue

The Revenue Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Robert W. Hotz - Tax Equalization and Review Commission

Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Lou Ann Linehan, Chairperson

Government, Military and Veterans Affairs

The Government, Military and Veterans Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Jerry Lee Jensen - State Personnel Board


(Signed) Tom Brewer, Chairperson

AMENDMENT(S) - Print in Journal

Senator Walz filed the following amendment to LB890:
AM1766 (Amendments to Standing Committee amendments, AM1756)
1 1. On page 1, line 17, strike "the property tax", show as stricken,
2 and insert "property taxes".

Senator Walz filed the following amendment to LB890:
AM1767 (Amendments to Standing Committee amendments, AM1756)
1 1. On page 1, line 22, after "the" insert "public school".

Senator Walz filed the following amendment to LB890:
AM1768 (Amendments to Standing Committee amendments, AM1756)
1 1. On page 2, line 1, strike "state" and insert "State of Nebraska".
Senator Blood filed the following amendment to LB689:

Section 1. Section 21-192, Revised Statutes Supplement, 2021, is amended to read:

One hundred ten dollars if the filing is submitted in writing and one hundred dollars if the filing is submitted electronically pursuant to section 84-511, except that:

(a) The filing fee for filing a certificate of organization under section 21-117 or for filing an application for a certificate of authority to transact business in this state as a foreign limited liability company under section 21-156 shall be:

(i) Until December 31, 2022, one hundred ten dollars if the filing is submitted in writing and one hundred dollars if the filing is submitted electronically pursuant to section 84-511, and ten dollars for a certificate; and

(ii) Beginning January 1, 2023, and until December 31, 2023, zero dollars; and

(iii) Beginning January 1, 2024, one hundred ten dollars if the filing is submitted in writing and one hundred dollars if the filing is submitted electronically pursuant to section 84-511, and ten dollars for a certificate; and

(b) The filing fee for filing a protected-series designation under section 21-509, or a statement of designation under section 21-532, or shall be one hundred ten dollars if the filing is submitted in writing and one hundred dollars if the filing is submitted electronically pursuant to section 84-511, for each protected series stated, and ten dollars for a certificate and the filing fee for an application for a certificate of authority to do business in this state as a foreign protected series under section 21-537 shall be:

(i) Until December 31, 2022, one hundred ten dollars if the filing is submitted in writing and one hundred dollars if the filing is submitted electronically pursuant to section 84-511, and ten dollars for a certificate; and

(ii) Beginning January 1, 2023, and until December 31, 2023, zero dollars; and

(iii) Beginning January 1, 2024, one hundred ten dollars if the filing is submitted in writing and one hundred dollars if the filing is submitted electronically pursuant to section 84-511, and ten dollars for a certificate;

(2) The filing fee for filing a statement of change of address for an agent for service of process under section 21-114 shall be thirty dollars if the filing is submitted in writing and twenty-five dollars if the filing is submitted electronically pursuant to section 84-511 for each limited liability company or foreign limited liability company for which the agent is designated.

(3) The filing fee for filing a statement of designation change under section 21-509 or 21-510 shall be thirty dollars if the filing is submitted in writing and twenty-five dollars if the filing is submitted electronically pursuant to section 84-511 for each protected series designation changed by the filing.

(4) The filing fee for the filing of a biennial report under section 21-125 or 21-514 shall be:

(a) Until December 31, 2022, thirty dollars if the filing is submitted in writing and twenty-five dollars if the filing is submitted electronically pursuant to section 84-511 for the series limited
31 liability company and thirty dollars if the filing is submitted in
writing and twenty-five dollars if the filing is submitted electronically
pursuant to section 84-511 for each of the series limited liability
3 company's protected series.
4 (b) Beginning January 1, 2023, and until December 31, 2023, zero
dollars and
5 (c) Beginning January 1, 2024, thirty dollars if the filing is
submitted in writing and twenty-five dollars if the filing is submitted
electronically pursuant to section 84-511 for the series limited
liability company and thirty dollars if the filing is submitted in
writing and twenty-five dollars if the filing is submitted electronically
pursuant to section 84-511 for each of the series limited liability
6 company's protected series.
7 (5) The fee for an application for reinstatement more than five
8 years after the effective date of an administrative dissolution shall be
9 five hundred dollars.
10 (6) The fee for filing a certificate of registration pursuant to
11 section 21-186 shall be thirty dollars if the certificate is submitted in
12 writing and twenty-five dollars if the certificate is submitted
13 electronically pursuant to section 84-511. In lieu of filing such
14 certificate, the fee for application for electronic access to records
15 pursuant to section 21-186 is fifty-five dollars if submitted in writing
16 or fifty dollars if submitted electronically pursuant to section 84-511.
17 (7) A fee of one dollar per page plus ten dollars per certificate
18 shall be paid for a certified copy of any document on file under the act.
19 (8) The fees for filings under the act shall be paid to the
20 Secretary of State. The Secretary of State shall remit the fees to the
21 State Treasurer. The State Treasurer shall credit sixty percent of the
22 fees to the General Fund and forty percent of the fees to the Secretary
23 of State Cash Fund.
24 Sec. 2. Original section 21-192, Revised Statutes Supplement, 2021,
25 is repealed.

GENERAL FILE

LEGISLATIVE BILL 986. Committee AM1702, found on page 465 and
considered on pages 490, 493, and in this day's Journal, was renewed.

Senator M. Hansen renewed his amendment, AM1716, found on page 490
and considered on page 490, 494, and in this day's Journal.

Senator Hunt renewed her motion, MO138, found in this day's Journal, to
recommit to Revenue Committee.

Pending.

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL LB 939. Placed on General File with amendment.
AM1780
1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 77-2715.03, Reissue Revised Statutes of Nebraska,
4 is amended to read:
5 77-2715.03 (1) For taxable years beginning or deemed to begin on or
6 after January 1, 2013, and before January 1, 2014, the following brackets and rates are hereby established for the Nebraska individual income tax:

8 Individual Income Tax Brackets and Rates

9 Bracket Single Married, Head of Married, Estates Tax
10 Number Individuals Filing Household Filing and Rate Jointly Separately
11 1 $0-2,399 $0-4,499 $0-2,399 $0-499 2.46%
12 2 $2,400- $4,500- $2,400- $500- 3.51%
13 3 $17,500- $35,000- $17,500- $4,700- 5.01%
14 4 $27,000 $54,000 $27,000 $15,150 6.84%

For purposes of this subsection, the top rate shall be:

10 (a) 6.84% for taxable years beginning or deemed to begin on or after
11 January 1, 2014, and before January 1, 2023;
12 (b) 6.34% for taxable years beginning or deemed to begin on or after
13 January 1, 2023, and before January 1, 2024;
14 (c) 6.14% for taxable years beginning or deemed to begin on or after
15 January 1, 2024, and before January 1, 2025; and
16 (d) 5.84% for taxable years beginning or deemed to begin on or after
17 January 1, 2025;

18 (3)(a) For taxable years beginning or deemed to begin on or after
19 January 1, 2015, the minimum and maximum dollar amounts for each income tax bracket provided in subsection (2) of this section shall be adjusted
20 for inflation by the percentage determined under subdivision (3)(b) of
21 this section. The rate applicable to any such income tax bracket shall
22 not be changed as part of any adjustment under this subsection. The
23 minimum and maximum dollar amounts for each income tax bracket as
24 determined shall be rounded to the nearest ten-dollar amount. If the
25 adjusted amount for any income tax bracket ends in a five, it shall be
26 rounded up to the nearest ten-dollar amount.
27 (b)(i) For taxable years beginning or deemed to begin on or after
28 January 1, 2015, and before January 1, 2018, the Tax Commissioner shall
29 adjust the income tax brackets by the percentage determined pursuant to
30 the provisions of section 1(f) of the Internal Revenue Code of 1986, as
31 it existed prior to December 22, 2017, except that in section 1(f)(3)(B)
32 of the code the year 2013 shall be substituted for the year 1992. For
33 2015, the Tax Commissioner shall then determine the percent change from
34 the twelve months ending on August 31, 2013, to the twelve months ending
35 on August 31, 2014, and in each subsequent year, from the twelve months
36 ending on August 31, 2013, to the twelve months ending on August 31 of
37 the year preceding the taxable year. The Tax Commissioner shall prescribe
38 new tax rate schedules that apply in lieu of the schedules set forth in
10 subsection (2) of this section.
11 (ii) For taxable years beginning or deemed to begin on or after
12 January 1, 2018, the Tax Commissioner shall adjust the income tax
13 brackets based on the percentage change in the Consumer Price Index for
14 All Urban Consumers published by the federal Bureau of Labor Statistics
15 from the twelve months ending on August 31, 2016, to the twelve months
16 ending on August 31 of the year preceding the taxable year. The Tax
17 Commissioner shall prescribe new tax rate schedules that apply in lieu of
18 the schedules set forth in subsection (2) of this section.
19 (4) Whenever the tax brackets or tax rates are changed by the
20 Legislature, the Tax Commissioner shall update the tax rate schedules to
21 reflect the new tax brackets or tax rates and shall publish such updated
22 schedules.
23 (5) The Tax Commissioner shall prepare, from the rate schedules, tax
24 tables which can be used by a majority of the taxpayers to determine
25 their Nebraska tax liability. The design of the tax tables shall be
26 determined by the Tax Commissioner. The size of the tax table brackets
27 may change as the level of income changes. The difference in tax between
28 two tax table brackets shall not exceed fifteen dollars. The Tax
29 Commissioner may build the personal exemption credit and standard
30 deduction amounts into the tax tables.
31 (6) For taxable years beginning or deemed to begin on or after
1 January 1, 2013, the tax rate applied to other federal taxes included in
2 the computation of the Nebraska individual income tax shall be 29.6
3 percent.
4 (7) The Tax Commissioner may require by rule and regulation that all
5 taxpayers shall use the tax tables if their income is less than the
6 maximum income included in the tax tables.
7 Sec. 2. Section 77-2734.02, Revised Statutes Supplement, 2021, is
8 amended to read:
9 77-2734.02 (1) Except as provided in subsection (2) of this section,
10 a tax is hereby imposed on the taxable income of every corporate taxpayer
11 that is doing business in this state:
12 (a) For taxable years beginning or deemed to begin before January 1,
13 2013, at a rate equal to one hundred fifty and eight-tenths percent of
14 the primary rate imposed on individuals under section 77-2701.01 on the
15 first one hundred thousand dollars of taxable income and at the rate of
16 two hundred eleven percent of such rate on all taxable income in excess
17 of one hundred thousand dollars. The resultant rates shall be rounded to
18 the nearest one hundredth of one percent;
19 (b) For taxable years beginning or deemed to begin on or after
20 January 1, 2013, and before January 1, 2022, at a rate equal to 5.58
21 percent on the first one hundred thousand dollars of taxable income and
22 at the rate of 7.81 percent on all taxable income in excess of one
23 hundred thousand dollars;
24 (c) For taxable years beginning or deemed to begin on or after
25 January 1, 2022, and before January 1, 2023, at a rate equal to 5.58
26 percent on the first one hundred thousand dollars of taxable income and
27 at the rate of 7.50 percent on all taxable income in excess of one
28 hundred thousand dollars;
29 (d) For taxable years beginning or deemed to begin on or after
30 January 1, 2023, and before January 1, 2024, at a rate equal to 5.58
31 percent on the first one hundred thousand dollars of taxable income and
32 at the rate of 7.00 percent on all taxable income in excess of one
33 hundred thousand dollars;
34 (e) For taxable years beginning or deemed to begin on or after
35 January 1, 2024, and before January 1, 2025, at a rate equal to 5.58
36 percent on the first one hundred thousand dollars of taxable income and
37 at the rate of 6.50 percent on all taxable income in excess of one
38 hundred thousand dollars;
8 (f) For taxable years beginning or deemed to begin on or after
9 January 1, 2025, and before January 1, 2026, at a rate equal to 5.58
10 percent on the first one hundred thousand dollars of taxable income and
11 at the rate of 6.14 percent on all taxable income in excess of one
12 hundred thousand dollars and
13 (g) For taxable years beginning or deemed to begin on or after
14 January 1, 2026, at a rate equal to 5.58 percent on the first one hundred
15 thousand dollars of taxable income and at the rate of 5.84 percent on all
16 taxable income in excess of one hundred thousand dollars.
17 It is the intent of the Legislature to enact legislation after
18 August 28, 2021, to lower the tax rate applicable to income in excess of
19 one hundred thousand dollars to 7.00 percent for taxable years beginning
20 or deemed to begin on or after January 1, 2021, and before January 1,
21 2025, and to 6.54 percent for taxable years beginning or deemed to begin
22 on or after January 1, 2025.
23 For corporate taxpayers with a fiscal year that does not coincide
24 with the calendar year, the individual rate used for this subsection
25 shall be the rate in effect on the first day, or the day deemed to be the
26 first day, of the taxable year.
27 (2) An insurance company shall be subject to taxation at the lesser
28 of the rate described in subsection (1) of this section or the rate of
29 tax imposed by the state or country in which the insurance company is
30 domiciled if the insurance company can establish to the satisfaction of
31 the Tax Commissioner that it is domiciled in a state or country other
32 than Nebraska that imposes on Nebraska domiciled insurance companies a
33 retaliatory tax against the tax described in subsection (1) of this
34 section.
35 (3) For a corporate taxpayer that is subject to tax in another
36 state, its taxable income shall be the portion of the taxpayer's federal
37 taxable income, as adjusted, that is determined to be connected with the
38 taxpayer's operations in this state pursuant to sections 77-2734.05 to
39 77-2734.15.
40 (4) Each corporate taxpayer shall file only one income tax return
41 for each taxable year.
42 Sec. 3. Original section 77-2715.03, Reissue Revised Statutes of
43 Nebraska, and section 77-2734.02, Revised Statutes Supplement, 2021, are
44 repealed.

(Signed) Lou Ann Linehan, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

Morfeld - LB519
Revenue - LB939

AMENDMENT(S) - Print in Journal

Senator Brewer filed the following amendment to LB773:
AM1757 is available in the Bill Room.

UNANIMOUS CONSENT - Room Change

Senator Wayne asked unanimous consent that the Urban Affairs Committee
conduct its hearing on Friday, February 11, 2022, in Room 1525 instead of
Room 1510. No objections. So ordered.
ANNOUNCEMENT

Senator B. Hansen announced the Business and Labor Committee will hold an executive session Tuesday, February 8, 2022, at 12:00 p.m., in Room 1524.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Blood name added to LB779.
Senator Blood name added to LB841.
Senator Brewer name added to LR284.

VISITOR(S)

Visitors to the Chamber were Representatives from Nebraska Community Colleges.

ADJOURNMENT

At 12:00 p.m., on a motion by Senator Wayne, the Legislature adjourned until 10:00 a.m., Tuesday, February 8, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
TWENTY-FIRST DAY - FEBRUARY 8, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

TWENTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 8, 2022

PRAYER

The prayer was offered by Senator Kolterman.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Hughes.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Blood, Bostar, Bostelman, Day, B. Hansen, Lathrop, Morfeld, and Pansing Brooks who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twentieth day was approved.

COMMITTEE REPORT(S)

Judiciary

LEGISLATIVE BILL 519. Placed on General File with amendment.

AM1781

1 1. On page 2, strike beginning with "for" in line 20 through the
2 comma in line 21 and insert "upon a showing by the petitioner"; and in
3 line 21 strike "could" and insert "would".

LEGISLATIVE BILL 543. Placed on General File with amendment.

AM1800

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Sections 1 to 6 of this act shall be known and may be
4 cited as the Agricultural Equipment Right-To-Repair Act.
5 Sec. 2. For purposes of the Agricultural Equipment Right-To-Repair
6 Authorized repair provider means an individual or business who
7 is affiliated with an original equipment manufacturer and who has an
8 arrangement with the original equipment manufacturer, for a definite or
9 indefinite period, under which the original equipment manufacturer grants
10 to the individual or business a license to use a trade name, service
11 mark, or other proprietary identifier for the purposes of offering the
12 services of diagnosis, maintenance, or repair of electronics-enabled
13 agricultural equipment under the name of the original equipment
14 manufacturer, or other arrangement with the original equipment
15 manufacturer to offer such services on behalf of the original equipment
16 manufacturer. An original equipment manufacturer who offers the services
17 of diagnosis, maintenance, or repair of its own electronics-enabled
18 agricultural equipment, and who does not have an arrangement described in
19 this subsection with an affiliated individual or business, shall be
20 considered an authorized repair provider with respect to such equipment;
21 (2) Electronics-enabled agricultural equipment or equipment means
22 any product, part of a product, or attachment to a product, when sold or
23 leased for use in farming, ranching, or other agriculture, that depends
24 for its functioning, in whole or in part, on digital electronics embedded
25 in or attached to it. The term includes, but is not limited to, a
26 tractor, a trailer, a combine, a sprayer, a baler, or an implement used
27 for tillage, planting, irrigation, or cultivating. Electronics-enabled
28 agricultural equipment or equipment does not include motor vehicles and
29 does not include consumer electronic devices, including wireless
30 communication devices and computers;
31 (3) Documentation means any manual, diagram, reporting output,
32 service code description, schematic, product guide, product service
33 demonstration, training seminar, clinic, fleet management information,
34 connected support, mobile application, on-board diagnostic via
35 diagnostics port or wireless interface, or other guidance or information
36 on service, parts, operation, safety, electronic field diagnostic service
37 tools, or training for use in effecting the services of diagnosis,
38 maintenance, or repair of electronics-enabled agricultural equipment or
39 service that is required to bring the equipment back to full or upgraded
40 functionality;
41 (4) Embedded software means any programmable instructions provided
42 on firmware delivered with electronics-enabled agricultural equipment, or
43 with a part for such equipment, for purposes of equipment operation,
44 including all relevant updates, patches, and fixes made by the
45 manufacturer of such equipment or part for such purposes;
46 (5)(a) Fair and reasonable terms for obtaining a part, a tool,
47 documentation, or software means at fair and reasonable costs and terms
48 that do not impair the contracts and agreements between authorized repair
49 providers affiliated with the original equipment manufacturer. Fair and
50 reasonable terms shall prohibit an original equipment manufacturer and
51 its authorized repair providers from imposing additional costs or burdens
52 not reasonably necessary or designed to be an impediment on the
53 independent repair provider or equipment owner.
54 (b) For software tools, fair and reasonable terms also means without
55 requiring authorization or Internet access, or imposing impediments to
56 access or use, in the course of effecting the diagnosis, maintenance, or
57 repair and enabling full functionality of electronics-enabled
58 agricultural equipment, in a manner that impairs the efficient and cost-
59 effective performance of any of those activities unless authorization is
60 required to prevent access to source code or infringement of intellectual
61 property in software or hardware that is owned and licensed to the
62 original equipment manufacturer by a third party and subject to terms of
63 use;
6 (6) Firmware means a set of instructions programmed on electronics-
enabled agricultural equipment, or on a part for such equipment, to allow
the equipment or part to communicate within itself or with other computer
hardware;
11. (7) Independent repair provider means an individual or business
operating in this state, who does not have an arrangement described in
subdivision (1) of this section with an original equipment manufacturer,
and who is not affiliated with any individual or business who has such an
arrangement, and who is engaged in the services of diagnosis,
maintenance, or repair of electronics-enabled agricultural equipment.
12. Except that an original equipment manufacturer or, with respect to that
original equipment manufacturer, an individual or business who has such
an arrangement with that original equipment manufacturer, or who is
affiliated with an individual or business who has such an arrangement
with that original equipment manufacturer, shall be considered an
independent repair provider for purposes of those instances in which it
engages in the services of diagnosis, maintenance, or repair of
electronics-enabled agricultural equipment that is not manufactured by or
sold under the name of that original equipment manufacturer;
13. (8) Motor vehicle means a vehicle that is designed for transporting
persons or property on a street or highway and is certified by the
manufacturer under all applicable federal safety and emissions standards
and requirements for distribution and sale in the United States;
14. (9) Original equipment manufacturer means a business engaged in the
business of selling, leasing, or otherwise supplying new electronics-
enabled agricultural equipment manufactured by or on behalf of itself to
any individual or business;
15. (10) Owner means an individual or business that owns or leases
electronics-enabled agricultural equipment purchased or used in this
state;
16. (11) Part means any replacement part, either new or used, made
available by an original equipment manufacturer or other supplier for
purposes of effecting the services of maintenance or repair of
electronics-enabled agricultural equipment manufactured by or on behalf
of or, or otherwise supplied by the original equipment manufacturer;
17. (12) Repair means to maintain, diagnose, service, and restore
machinery that results in the machine being returned to its original or
upgraded specifications. Repair does not include performing any
activities that result in the machine being modified outside of the
original equipment manufacturer specifications. Specifically, repair does
not include the ability to:
(a) Reset security-related electronic modules;
(b) Reprogram any electronic processing units or engine control
units and parameters;
(c) Change any equipment or engine settings that negatively affect
emissions or safety compliance; and
(d) Download or access the source code of any proprietary embedded
software or code;
18. (13) Tools means any software program, software upgrade, hardware
implement, product service demonstrations, service training, seminars,
clinics, on-board diagnostics via diagnostics port or wireless interface,
electronic field diagnostic service tools and training on how to use
them, or other apparatus used for diagnosis, maintenance, or repair of
electronics-enabled agricultural equipment, including software or other
mechanisms that provision, program, or pair a new part, calibrate
functionality, or perform any other function required to bring the
product back to specifications; and
19. (14) Trade secret has the same meaning as in section 87-502.
maintenance, or repair of such equipment, to any independent repair
provider, or to the owner of electronics-enabled agricultural equipment
manufactured by or on behalf of, or sold or otherwise supplied by, the
original equipment manufacturer, on fair and reasonable terms,
documentation, parts, and tools, inclusive of any updates to information
or embedded software. Nothing in this subsection requires an original
equipment manufacturer to make available documentation, parts, and tools
if such documentation, parts, and tools are no longer available to the
original equipment manufacturer.
Sec. 4. Violation of the Agricultural Equipment Right-To-Repair Act
is an unlawful practice under the Uniform Deceptive Trade Practices Act.
All remedies, penalties, and authority granted to the Attorney General by
the Uniform Deceptive Trade Practices Act shall be available to the
Attorney General for the enforcement of the Agricultural Equipment Right-
To-Repair Act.
Sec. 5. (1) Nothing in the Agricultural Equipment Right-To-Repair Act
shall be construed to require an original equipment manufacturer to
divulge a trade secret to an owner or an independent service provider
except as necessary to provide documentation, parts, and tools on fair
and reasonable terms.
(2) No provision in the Agricultural Equipment Right-To-Repair Act
shall be construed to alter the terms of any arrangement described in
subdivision (1) of section 2 of this act in force between an authorized
repair provider and an original equipment manufacturer, including, but
not limited to, the performance or provision of warranty or recall repair
work by an authorized repair provider on behalf of an original equipment
manufacturer pursuant to such arrangement, except that any provision in
such terms that purports to waive, avoid, restrict, or limit the original
equipment manufacturer's obligations to comply with the act shall be void
and unenforceable.
Sec. 6. The Agricultural Equipment Right-To-Repair Act applies with
respect to equipment sold or in use on or after the effective date of
this act.

(Signed) Steve Lathrop, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

Brandt - LB543

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 289 and 290 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business,
the President signed the following: LRs 289 and 290.
NOTICE OF COMMITTEE HEARING(S)
Health and Human Services
Room 1510 1:30 PM

Wednesday, March 2, 2022
Briefing by the Department of Health and Human Services on the Heritage Health Procurement

(Signed) John Arch, Chairperson

Government, Military and Veterans Affairs
Room 1507 1:30 PM

Wednesday, February 16, 2022
LB928
LB908
LB1205
LB930

Thursday, February 17, 2022
LB1104
LB964
LB910

(Signed) Tom Brewer, Chairperson

Urban Affairs
Room 1510 1:30 PM

Tuesday, February 22, 2022
LB1108
LB726
LB727
LB821
LB1118
LB1119

Tuesday, February 15, 2022
LB1073
LB789
LB1189
LB998
LB837
LB1227

(Signed) Justin Wayne, Chairperson
LEGISLATIVE BILL 450A. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

LEGISLATIVE BILL 376. Placed on Final Reading.

ST40
The following changes, required to be reported for publication in the Journal, have been made:
1. In the Standing Committee amendments, AM1307, on page 7, line 8, "section" has been struck and "sections 83-1201 and" inserted; and in line 9 "is" has been struck and "are" inserted.
2. On page 1, lines 2 through 7 and all amendments thereto have been struck and "sections 83-1201 and 83-1212.01, Revised Statutes Cumulative Supplement, 2020; to state findings and declarations; to require application for and implementation of services and supports for children with disabilities and their families as prescribed; to require reports and evaluations; to provide powers and duties; to harmonize provisions; and to repeal the original sections." inserted.

(Signed) Terrell McKinney, Chairperson

GENERAL FILE

LEGISLATIVE BILL 592. Title read. Considered.
Committee AM237, found on page 536, First Session, 2021, was adopted with 38 ayes, 0 nays, 5 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 754. Title read. Considered.
Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 758. Title read. Considered.
Committee AM1684, found on page 456, was adopted with 40 ayes, 0 nays, and 9 present and not voting.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, and 6 present and not voting.

LEGISLATIVE BILL 892. Title read. Considered.
Advanced to Enrollment and Review Initial with 38 ayes, 4 nays, 6 present and not voting, and 1 excused and not voting.
LEGISLATIVE BILL 708. Title read. Considered.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 5 present and not voting, and 1 excused and not voting.

COMMITTEE REPORT(S)

Urban Affairs

LEGISLATIVE BILL 695. Placed on General File with amendment. AM1742 is available in the Bill Room.

(Signed) Justin Wayne, Chairperson

AMENDMENT(S) - Print in Journal

Senator Linehan filed the following amendment to LB939:

AM1820 (Amendments to Standing Committee amendments, AM1780)
1 1. On page 2, line 6, strike "Top" and insert "Maximum"; and in line 29 strike "top" and insert "maximum".

Senator Linehan filed the following amendment to LB939:

AM1821 (Amendments to Standing Committee amendments, AM1780)
1 1. On page 5, line 23, strike "coincide", show as stricken, and 2 insert "match".

ANNOUNCEMENT(S)

Priority designation(s) received:

Williams - LB1069

GENERAL FILE

LEGISLATIVE BILL 986. Committee AM1702, found on page 465 and considered on pages 490, 493, and 503, was renewed.

Senator M. Hansen renewed his amendment, AM1716, found on page 490 and considered on pages 490, 494, and 503, to the committee amendment.

Senator Hunt renewed her motion, MO138, found on page 503 and considered on pages 503 and 506, to recommit to Revenue Committee.

Senator M. Hansen offered the following motion:

MO139 Bracket until April 20, 2022.
Senator Briese offered the following motion:  
**MO140**
Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Briese moved for a call of the house. The motion prevailed with 27 ayes, 1 nay, and 21 not voting.

Senator Briese requested a roll call vote, in reverse order, on the motion to invoke cloture.

Voting in the affirmative, 28:

- Albrecht
- Briese
- Gragert
- Lindstrom
- Pahls
- Arch
- Clements
- Groene
- Linehan
- Sanders
- Bostar
- Erdman
- Halloran
- Lowe
- Slama
- Bostelman
- Flood
- Hansen, B.
- McDonnell
- Wayne
- Brandt
- Friesen
- Hilgers
- Moser
- Brewer
- Geist
- Hughes
- Murman

Voting in the negative, 21:

- Aguilar
- DeBoer
- Kolterman
- Pansing
- Brooks
- Wishart
- Blood
- Dorn
- Lathrop
- Stinner
- Cavanaugh, J.
- Hansen, M.
- McCollister
- Vargas
- Cavanaugh, M.
- Hil kemann
- McKinney
- Walz
- Day
- Hunt
- Morfeld
- Williams

The Briese motion to invoke cloture failed with 28 ayes, 21 nays, and 0 not voting.

**GENERAL FILE**

**LEGISLATIVE BILL 906.** Title read. Considered.

Committee **AM1729**, found on page 485, was offered.

Pending.

**AMENDMENT(S) - Print in Journal**

Senator J. Cavanaugh filed the following amendment to **LB773**:  
**AM1794**
(Amendments to AM1757)
1. Insert the following new sections:
2. Sec. 14. (1) For purposes of this section, concealed weapon offense means:
3. (a) A violation of section 28-1202 as it existed on or before
4. January 1, 2022; or
5. (b) Attempt, conspiracy, solicitation, being an accessory to, aiding
6. and abetting, aiding the consummation of, or compounding a felony with a
8 violation described in subdivision (1)(a) of this section as the
9 underlying offense.
10 (2) At any time following the completion of sentence or disposition,
11 a person convicted of a concealed weapon offense or adjudicated in
12 juvenile court for a concealed weapon offense may file a motion to set
13 aside such conviction or adjudication. The motion shall be filed in the
14 county, district, or separate juvenile court in which the movant was
15 convicted or adjudicated.
16 (3) In determining whether to set aside the conviction, the court
17 shall consider:
18 (a) The behavior of the movant after completion of sentencing or
19 disposition;
20 (b) The likelihood that the movant will not engage in further
21 criminal activity;
22 (c) Any other information the court considers relevant;
23 (d) There shall be a rebuttable presumption that the movant is
24 entitled to relief under this section if:
25 (a) As a result of the changes made to section 28-1202 by this
26 legislative bill, the movant's conduct underlying the conviction or
27 adjudication for a concealed weapon offense would not be a violation of
28 section 28-1202;
29 (b) Section 28-1202 is amended by the Legislature such that the
30 movant's conduct underlying the conviction or adjudication for a
31 concealed weapon offense would no longer be a violation of section
32 28-1202; or
33 (c) Section 28-1202 is outright repealed by the Legislature.
34 (5) The court may grant the motion and issue an order setting aside
35 the conviction or adjudication when in the opinion of the court the order
36 will be in the best interest of the movant and consistent with the public
37 welfare.
38 (6) An order setting aside a conviction or an adjudication under
39 this section shall have the same effect as an order setting aside a
40 conviction as provided in subsections (5) and (6) of section 29-2264.
41 Sec. 15. Section 29-3523, Revised Statutes Cumulative Supplement,
42 2020, is amended to read:
43 29-3523 (1) After the expiration of the periods described in
44 subsection (3) of this section or after the granting of a motion under
45 subsection (4), (5), or (6), or (7) of this section, a criminal justice
46 agency shall respond to a public inquiry in the same manner as if there
47 were no criminal history record information and criminal history record
48 information shall not be disseminated to any person other than a criminal
49 justice agency, except as provided in subsection (2) of this section or
50 when the subject of the record:
51 (a) Is currently the subject of prosecution or correctional control
52 as the result of a separate arrest;
53 (b) Is currently an announced candidate for or holder of public
54 28 office;
55 (c) Has made a notarized request for the release of such record to a
56 specific person; or
57 (d) Is kept unidentified, and the record is used for purposes of
58 (1) surveying or summarizing individual or collective law enforcement agency
59 activity or practices, or the dissemination is requested consisting only
60 of release of criminal history record information showing (i) dates of
61 arrests, (ii) reasons for arrests, and (iii) the nature of the
62 dispositions including, but not limited to, reasons for not prosecuting
63 the case or cases.
64 (2) That part of criminal history record information described in
65 subsection (8) of this section may be disseminated to individuals and
66 agencies for the express purpose of research, evaluative, or statistical
67 activities pursuant to an agreement with a criminal justice agency that
11 specifically authorizes access to the information, limits the use of the
12 information to research, evaluative, or statistical activities, and
13 ensures the confidentiality and security of the information.
14 (3) Except as provided in subsections (1) and (2) of this section,
15 in the case of an arrest, citation in lieu of arrest, or referral for
16 prosecution without citation, all criminal history record information
17 relating to the case shall be removed from the public record as follows:
18 (a) When no charges are filed as a result of the determination of
19 the prosecuting attorney, the criminal history record information shall
20 not be part of the public record after one year from the date of arrest,
21 citation in lieu of arrest, or referral for prosecution without citation;
22 (b) When charges are not filed as a result of a completed diversion,
23 the criminal history record information shall not be part of the public
24 record after two years from the date of arrest, citation in lieu of
25 arrest, or referral for prosecution without citation; and
26 (c) When charges are filed, but the case is dismissed by the court
27 (i) on motion of the prosecuting attorney, (ii) as a result of a hearing
28 not the subject of a pending appeal, (iii) after acquittal, (iv) after a
29 deferred judgment, or (v) after completion of a program prescribed by a
30 court or any other problem solving court approved by the Supreme
31 Court, the criminal history record information shall not be part of the
1 public record immediately upon notification of a criminal justice agency
2 after acquittal pursuant to subdivision (3)(c)(iii) of this section or
3 after the entry of an order dismissing the case.
4 (4) Upon the granting of a motion to set aside a conviction or an
5 adjudication pursuant to section 29-3005, a person who is a victim of sex
6 trafficking, as defined in section 29-3005, may file a motion with the
7 same sentencing court for an order to seal the criminal history record
8 information related to such conviction or adjudication. Upon a finding
9 that a court issued an order setting aside such conviction or
10 adjudication pursuant to section 29-3005, the sentencing court shall
11 grant the motion and:
12 (a) For a conviction, issue an order as provided in subsection (8)
13 of this section; or
14 (b) For an adjudication, issue an order as provided in section
15 43-2,108.05.
16 (5) Upon the granting of a motion to set aside a conviction or an
17 adjudication pursuant to section 14 of this act, the movant may file a
18 motion with the same court for an order to seal the criminal history
19 record information related to such conviction or adjudication. Upon a
20 finding that an order setting aside such conviction or adjudication was
21 issued pursuant to section 14 of this act, the court shall grant the
22 motion and:
23 (a) For a conviction, issue an order as provided in subsection (8)
24 of this section; or
25 (b) For an adjudication, issue an order as provided in section
26 43-2,108.05.
27 (6) Any person who has received a pardon may file a motion with
28 the sentencing court for an order to seal the criminal history record
29 information and any cases related to such charges or conviction. Upon a
30 finding that the person received a pardon, the court shall grant the
31 motion and issue an order as provided in subsection (8) of
1 this
2 section.
3 (7) Any person who is subject to a record which resulted in a
3 case being dismissed prior to January 1, 2017, as described in
4 subdivision (3)(c) of this section, may file a motion with the court in
5 which the case was filed to enter an order pursuant to subsection (8) of
6 this section. Upon a finding that the case was dismissed for any
7 reason described in subdivision (3)(c) of this section, the court shall
8 grant the motion and enter an order as provided in subsection (8) of
9 this section.
10 (10) Any person arrested due to the error of a law enforcement agency may file a petition with the district court for an order to expunge the criminal history record information related to such error.
11 The petition shall be filed in the district court of the county in which the petitioner was arrested. The county attorney shall be named as the respondent and shall be served with a copy of the petition. The court may grant the petition and issue an order to expunge such information if the 12 petitioner shows by clear and convincing evidence that the arrest was due to error by the arresting law enforcement agency.
13 (11) The changes made by Laws 2018, LB1132 and this legislative bill, to the relief set forth in this section shall apply to all persons otherwise eligible in accordance with the provisions of this section, whether arrested, cited in lieu of arrest, referred for prosecution, without citation, charged, convicted, or adjudicated prior to, on, or subsequent to July 19, 2018.
14 Sec. 16. Section 29-3528, Reissue Revised Statutes of Nebraska, is amended to read:
21 29-3528 (1) If a state agency or political subdivision or an
22 subdivision or its agencies, or its political subdivisions, or whenever any state agency or any political subdivision or its agencies fails to comply with the requirements of the Security, Privacy, and Dissemination of Criminal History Information Act, the Nebraska Security, Privacy, and Dissemination of Criminal History Information Act, or of rules and regulations lawfully adopted and promulgated under such act, such failure
23 creates private liability on the part of such agency, political subdivision, officer, or employee. Any to implement sections 29-209, 29-210, 29-211, 29-212, 29-230 to 29-3528, and 31-1423, any person aggrieved by such a
24 violation may bring an action for appropriate relief, including, but not limited to, actual damages, such preliminary and other equitable or declaratory relief as may be appropriate, or a writ of mandamus.
25 (2) Consent is hereby given to join the state, any agency or political subdivision of the state, and any officer or employee of the state, its agencies, or its political subdivisions as a defendant in any
7 action under this section. Such entities, when a party to any such action, shall be deemed to have waived sovereign immunity and shall be subject to the judgments, orders, and decrees of the court.
8 (3) An action under this section is not subject to the State Tort Claims Act or the Political Subdivisions Tort Claims Act.
9 (4) An action under this section may be brought in the district court of any district in which the records involved are located or in the district court of Lancaster County. The commission may request the Attorney General to bring such action.
10 2. Renumber the remaining sections and correct the repealer accordingly.

Senator Friesen filed the following amendment to LB939:

AM1818 (Amendments to Standing Committee amendments, AM1780)
1 1. On page 2, line 11, strike "2023" and insert "2050"; in line 13 2 strike "2023" and insert "2050" and strike "2024" and insert "2051"; in 3 line 15 strike "2024" and insert "2051" and strike "2025" and insert 4 "2052"; and in line 17 strike "2055" and insert "2052".

Senator Friesen filed the following amendment to LB939:

AM1815 (Amendments to Standing Committee amendments, AM1780)
1 1. Strike section 1.
2 2. Renumber the remaining sections and correct the repealer accordingly.

NOTICE OF COMMITTEE HEARING(S)
Natural Resources
Room 1525 1:30 PM

Wednesday, February 16, 2022
Scott L. Cassels - Nebraska Game and Parks Commission
LB1081
LB1186

Thursday, February 17, 2022
Bridget Troxel Peck - Nebraska Power Review Board

(Signed) Bruce Bostelman, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 293. Introduced by Friesen, 34; Aguilar, 35; Albrecht, 17; Arch, 14; Blood, 3; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Cavanaugh, J., 9; Clements, 2; Day, 49; DeBoer, 10; Dorn, 30; Erdman, 47; Flood, 19; Geist, 25; Gragert, 40; Groene, 42; Halloran, 33; Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hilkemann, 4; Hughes, 44; Kolterman, 24; Lathrop, 12; Lindstrom, 18; Linehan, 39; Lowe, 37; McCollister, 20; McDonnell, 5; Morfeld, 46; Moser, 22; Murman, 38; Pahls, 31; Pansing Brooks, 28; Sanders, 45; Slama, 1; Stinner, 48; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.
WHEREAS, the United States has a close alliance with the United Kingdom. The United States and the United Kingdom are durable partners and allies whose partnership is the foundation of our mutual prosperity and security; and
WHEREAS, the strong relationship between the United States and the United Kingdom reflects common democratic ideals and values, which are reinforced through cooperation on political, security, and economic issues; and
WHEREAS, the United States and the United Kingdom are the first and fifth largest economies in the world, and their investment and commitment to free market values and mutual trade enables both economies to thrive; and
WHEREAS, United Kingdom companies employ over 4000 workers in the State of Nebraska; and
WHEREAS, the citizens of Nebraska and the United Kingdom mutually benefit from trade between the United States and the United Kingdom; and
WHEREAS, Nebraska's exports to the United Kingdom totaled $68.2 million in 2020, with $14.9 million coming from agricultural products; and
WHEREAS, Nebraska annually exports about 30 percent of its agricultural production.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature thanks the United Kingdom for being a longstanding ally.
2. That the Legislature appreciates the strong diplomatic and trade relationship between our two great nations.
3. That copies of this resolution be sent to the British Consul General in Chicago.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Groene name added to LB713.
Senator Clements name added to LB906.
Senator Morfeld name added to LB1241.
Senator DeBoer name added to LB1246.
Senator Morfeld name added to LB1271.

VISITOR(S)

Visitors to the Chamber were a group of State Officers from Career and Technical Student Organizations; and members of Leadership Wayne.

The Doctor of the Day was Dr. Pat Hotovy of York.
ADJOURNMENT

At 11:54 a.m., on a motion by Senator Blood, the Legislature adjourned until 9:00 a.m., Wednesday, February 9, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
TWENTY-SECOND DAY - FEBRUARY 9, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

TWENTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 9, 2022

PRAYER

The prayer was offered by Pastor Scott Bruick, St. John's Lutheran Church, Seward.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Brewer.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Bostar, Briese, J. Cavanaugh, Day, Friesen, B. Hansen, M. Hansen, Morfeld, Pansing Brooks, Slama, Stinner, Walz, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-first day was approved.

ANNOUNCEMENT(S)

Priority designation(s) received:

Arch - LB1037

GENERAL FILE

LEGISLATIVE BILL 906. Committee AM1729, found on page 485 and considered on page 518, was renewed.

Senator Williams offered the following amendment to the committee
amendment:  

AM1805  (Amendments to Standing Committee amendments, AM1729)  

1 1. On page 1, line 26, strike "and" and insert the following new subdivision:  
2 "(e) Medicare-certified or medicaid-certified provider or supplier  
3 means any entity, including, but not limited to, a health care facility  
4 as defined in section 71-413, that is a medicare-certified or medicaid-certified provider or supplier and that is subject to the federal Centers for Medicare and Medicaid Services' COVID-19 health care staff vaccination requirements; and", and in line 27 strike "(e)" and insert 9 "(f)."  

2 2. On page 2, line 5, after "website" insert "within fifteen days  
3 after the effective date of this act", in line 15 strike "An" and insert 12 "Subject to subsection (5) of this section, an": and after line 26 insert 13 the following new subsection:  
14 "(5) A medicare-certified or medicaid-certified provider or supplier  
15 or a federal contractor may require additional processes, documentation,  
16 or accommodations as necessary to be in compliance with federal law and  
17 to maintain compliance with the rules and regulations of the federal  
18 Centers for Medicare and Medicaid Services."  

Senator Arch offered the following motion:  

MO141  Bracket until April 20, 2022.  

Senator Arch withdrew his motion to bracket.  

The Williams amendment was adopted with 33 ayes, 1 nay, 12 present and not voting, and 3 excused and not voting.  

Senator B. Hansen withdrew his amendment, AM1675, found on page 451.  

Senator B. Hansen withdrew his amendment, AM1687, found on page 457.  

The committee amendment, as amended, was adopted with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.  

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.  

ANNOUNCEMENT  

Pursuant to Rule 8, Sec. 3, the Appropriations Committee presented its preliminary report on February 9, 2022, summarizing the recommended appropriations for the following biennium.  

GENERAL FILE  

LEGISLATIVE BILL 700. Title read. Considered.  

Committee AM1704, found on page 501, was offered.
Committee AM1704 was adopted with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

Senator Kolterman withdrew his amendment, AM1538, found on page 420.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 890.** Title read. Considered.

Committee AM1756, found on page 503, was offered.

Senator Briese offered his amendment, FA70, found on page 503, to the committee amendment.

Senator Briese withdrew his amendment.

Senator Walz asked unanimous consent to withdraw her amendment, AM1766, found on page 504, and replace it with her substitute amendment, FA71, to the committee amendment. No objections. So ordered.

FA71
To amend AM1756 to LB890 as follows: Strike "If the amount of state aid calculated under this subsection for any school district is less than twenty percent of such school district's basic funding, the state aid for such school district shall be increased to an amount equal to twenty percent of such school district's basic funding" from page 3, lines 5-9, and lines 18-22.

Pending.

**BILL ON FIRST READING**

The following bill was read for the first time by title:

**LEGISLATIVE BILL 925A.** Introduced by Gragert, 40.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 925, One Hundred Seventh Legislature, Second Session, 2022.

**NOTICE OF COMMITTEE HEARING(S)**

Revenue
Room 1524 1:30 PM

Wednesday, February 16, 2022
LB819
LB1117
LB1265
LB1272
LB1273

(Signed) Lou Ann Linehan, Chairperson
COMMITTEE REPORT(S)
Natural Resources

LEGISLATIVE BILL 1082. Placed on General File.
(Signed) Bruce Bostelman, Chairperson
Urban Affairs

LEGISLATIVE BILL 820. Placed on General File.
(Signed) Justin Wayne, Chairperson

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 592. Placed on Select File.
LEGISLATIVE BILL 754. Placed on Select File.
LEGISLATIVE BILL 758. Placed on Select File.
LEGISLATIVE BILL 892. Placed on Select File.
LEGISLATIVE BILL 708. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

AMENDMENT(S) - Print in Journal

Senator Gragert filed the following amendment to LB925:

AM1836

1 On page 5, line 15, after "2022" insert "and through 2027".

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator DeBoer name added to LB914.
Senator Vargas name added to LB1024.

VISITOR(S)

Visitors to the Chamber were Extension Educators from Northeast Nebraska; and Family and Consumer Science Teachers and Students from across the state.

The Doctor of the Day was Dr. Brent Holmquist of Elkhorn.
ADJOURNMENT

At 11:55 a.m., on a motion by Senator Aguilar, the Legislature adjourned until 9:00 a.m., Thursday, February 10, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
TWENTY-THIRD DAY - FEBRUARY 10, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

TWENTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, February 10, 2022

PRAYER
The prayer was offered by Father Kenneth Borowiak, St. Michael's Parish, Lincoln.

PLEDGE OF ALLEGIANCE
The Pledge of Allegiance was offered by Senator Lindstrom.

ROLL CALL
Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Hughes presiding.

The roll was called and all members were present except Senators M. Cavanaugh, Day, DeBoer, Flood, Geist, B. Hansen, Hunt, Lathrop, McCollister, Morfeld, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL
The Journal for the twenty-second day was approved.

COMMITTEE REPORT(S)
Agriculture

LEGISLATIVE BILL 712. Placed on General File.
LEGISLATIVE BILL 889. Placed on General File.

LEGISLATIVE BILL 848. Placed on General File with amendment.
AM1626
1. On page 4, strike beginning with "the" in line 6 through
2. "organizations" in line 7 and insert "planning for and assistance with";
3. and in line 8 strike "plan".
4. 2. On page 5, line 6, reinstate the stricken matter; in line 15
5. strike "or" and show as stricken; in line 17 strike "(h)" and insert
6. "(vi)"; and in line 19 strike "transportation".
LEGISLATIVE BILL 1095. Indefinitely postponed.

(Signed)  Steve Halloran, Chairperson

Government, Military and Veterans Affairs

LEGISLATIVE BILL 779. Placed on General File.

LEGISLATIVE BILL 839. Placed on General File.

LEGISLATIVE BILL 823. Placed on General File with amendment.

AM1694
1 1. On page 2, strike lines 13 through 19 and insert the following
2 new subsection:
3 "(3) Absent the showing of a compelling state interest, an agency
4 shall not require any annual filing or reporting by a charitable
5 organization, whether regulated or specifically exempted from regulation,
6 that is more burdensome than any requirements authorized by state law.
7 Any such filing or reporting requirement shall be narrowly tailored to
8 achieve such compelling state interest."; and in line 22 after "law"
9 insert ", including, but not limited to, issuance of a civil
10 investigative demand or subpoena".

(Signed)  Tom Brewer, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Health and Human Services
Room 1510 1:30 PM

Wednesday, February 23, 2022
Linda Mentink - Commission for the Blind and Visually Impaired
Cheryl Livingston - Commission for the Blind and Visually Impaired
Richard L. Wiener - Foster Care Advisory Committee
Peggy A. Williams - Commission for the Deaf and Hard of Hearing

(Signed)  John Arch, Chairperson

GENERAL FILE

LEGISLATIVE BILL 890. Committee AM1756, found on page 503 and
considered on page 527, was renewed.

The Walz amendment, FA71, found on page 527, to the committee
amendment, was renewed.

SPEAKER HILGERS PRESIDING

SENATOR HUGHES PRESIDING

Pending.
Legislative Bill 966. Placed on General File.

(Signed) Matt Williams, Chairperson

Amendment(s) - Print in Journal

Senator Friesen filed the following amendment to LB890:

Amended Standing Committee amendments, AM1756

1. Insert the following new sections:
2. Section 1. Section 77-201, Revised Statutes Supplement, 2021, is
3. amended to read:
4. 77-201 (1) Except as provided in subsections (2) through (4) of this
5. section, all real property in this state, not expressly exempt therefrom,
6. shall be subject to taxation and shall be valued at its actual value.
7. (2) Agricultural land and horticultural land as defined in section
8. 77-1359 shall constitute a separate and distinct class of property for
9. purposes of property taxation, shall be subject to taxation, unless
10. expressly exempt from taxation, and shall be valued at seventy-five
11. percent of its actual value, except that (a) for school district taxes
12. levied to pay the principal and interest on bonds that are approved by a
13. vote of the people on or after January 1, 2022, such land shall be valued
14. at fifty percent of its actual value and (b) for other school district
15. taxes, such land shall be valued at (i) sixty-five percent of its actual
16. value for tax year 2023 and (ii) fifty-five percent of its actual value
17. for tax year 2024 and each tax year thereafter.
18. (3) Agricultural land and horticultural land actively devoted to
19. agricultural or horticultural purposes which has value for purposes other
20. than agricultural or horticultural uses and which meets the
21. qualifications for special valuation under section 77-1344 shall
22. constitute a separate and distinct class of property for purposes of
23. property taxation, shall be subject to taxation, and shall be valued for
24. taxation at seventy-five percent of its special valuation as defined in
25. section 77-1343, except that (a) for school district taxes levied to pay
26. the principal and interest on bonds that are approved by a vote of the
27. people on or after January 1, 2022, such land shall be valued at fifty
28. percent of its special valuation as defined in section 77-1343 and (b)
29. for other school district taxes, such land shall be valued at (i) sixty-
30. five percent of its special valuation as defined in section 77-1343 for
31. tax year 2023 and (ii) fifty-five percent of its special valuation as
32. defined in section 77-1343 for tax year 2024 and each tax year
33. thereafter.
34. (4) Historically significant real property which meets the
35. qualifications for historic rehabilitation valuation under sections
36. 77-1385 to 77-1394 shall be valued for taxation as provided in such
37. sections.
38. (5) Tangible personal property, not including motor vehicles,
39. trailers, and semitrailers registered for operation on the highways of
40. this state, shall constitute a separate and distinct class of property
41. for purposes of property taxation, shall be subject to taxation, unless
42. expressly exempt from taxation, and shall be valued at its net book
43. value. Tangible personal property transferred as a gift or devise or as
44. part of a transaction which is not a purchase shall be subject to
45. taxation based upon the date the property was acquired by the previous
46. owner and at the previous owner's Nebraska adjusted basis. Tangible
21 personal property acquired as replacement property for converted property
22 shall be subject to taxation based upon the date the converted property
23 was acquired and at the Nebraska adjusted basis of the converted property
24 unless insurance proceeds are payable by reason of the conversion. For
25 purposes of this subsection, (a) converted property means tangible
26 personal property which is compulsorily or involuntarily converted as a
27 result of its destruction in whole or in part, theft, seizure,
28 requisition, or condemnation, or the threat or imminence thereof, and no
29 gain or loss is recognized for federal or state income tax purposes by
30 the holder of the property as a result of the conversion and (b)
31 replacement property means tangible personal property acquired within two
32 years after the close of the calendar year in which tangible personal
33 property was converted and which is, except for date of construction or
34 manufacture, substantially the same as the converted property.
35 (6) For purposes of this section, other school district taxes means
36 property taxes levied on real or personal property by any school district
37 or multiple-district school system, excluding property taxes levied to
38 pay the principal and interest on bonds issued by the school district or
39 multiple-district school system.
40 Sec. 2. Section 77-5023, Revised Statutes Supplement, 2021, is
41 amended to read:
42 77-5023 (1) Pursuant to section 77-5022, the commission shall have
43 the power to increase or decrease the value of a class or subclass of
44 real property in any county or taxing authority or of real property
45 valued by the state so that all classes or subclasses of real property in
46 all counties fall within an acceptable range.
47 (2) An acceptable range is the percentage of variation from a
48 standard for valuation as measured by an established indicator of central
49 tendency of assessment. Acceptable ranges are: (a) For agricultural land
50 and horticultural land as defined in section 77-1339, sixty-nine to
51 seventy-five percent of actual value, except that (i) for school district
52 taxes levied to pay the principal and interest on bonds that are approved
53 by a vote of the people on or after January 1, 2022, the acceptable range
54 is forty-four to fifty percent of actual value, (ii) for other school
55 district taxes levied for tax year 2023, the acceptable range is fifty-
56 nine to sixty-five percent of actual value, and (iii) for other school
57 district taxes levied for tax year 2024 and each tax year thereafter, the
58 acceptable range is forty-nine to fifty-five percent of actual value; (b)
59 for lands receiving special valuation, sixty-nine to seventy-five percent
60 of special valuation as defined in section 77-1343, except that (i) for
61 school district taxes levied to pay the principal and interest on bonds
62 that are approved by a vote of the people on or after January 1, 2022,
63 the acceptable range is forty-four to fifty percent of special valuation
64 as defined in section 77-1343, (ii) for other school district taxes
65 levied for tax year 2023, the acceptable range is fifty-nine to sixty-
66 five percent of special valuation as defined in section 77-1343, and
67 (iii) for other school district taxes levied for tax year 2024 and each
68 tax year thereafter, the acceptable range is forty-nine to fifty-five
69 percent of special valuation as defined in section 77-1343, and (c) for
70 all other real property, ninety-two to one hundred percent of actual
71 value.
72 (3) Any increase or decrease shall cause the level of value
73 determined by the commission to be at the midpoint of the applicable
74 acceptable range.
75 (4) Any decrease or increase to a subclass of property shall also
76 cause the level of value determined by the commission for the class from
77 which the subclass is drawn to be within the applicable acceptable range.
78 (5) Whether or not the level of value determined by the commission
79 falls within an acceptable range or at the midpoint of an acceptable
80 range may be determined to a reasonable degree of certainty relying upon
generally accepted mass appraisal techniques.

(6) For purposes of this section, other school district taxes means property taxes levied on real or personal property by any school district or multiple-district school system, excluding property taxes levied to pay the principal and interest on bonds issued by the school district or multiple-district school system.

Sec. 16. Section 79-1016, Revised Statutes Cumulative Supplement, 2020, is amended to read:

79-1016 (1) On or before August 20, the county assessor shall certify to the Property Tax Administrator the total taxable value by school district in the county for the current assessment year on forms prescribed by the Tax Commissioner. The county assessor may amend the filing for changes made to the taxable valuation of the school district in the county if corrections or errors on the original certification are discovered. Amendments shall be certified to the Property Tax Administrator on or before August 31.

(2) On or before October 10, the Property Tax Administrator shall compute and certify to the State Department of Education the adjusted valuation for the current assessment year for each class of property in each school district and each local system. The adjusted valuation of property for each school district and each local system, for purposes of determining state aid pursuant to the Tax Equity and Educational Opportunities Support Act, shall reflect as nearly as possible state aid as defined in subsection (3) of this section. The Property Tax Administrator shall notify each school district and each local system of its adjusted valuation for the current assessment year by class of property on or before October 10. Establishment of the adjusted valuation shall be based on the taxable value certified by the county assessor for each school district in the county adjusted by the determination of the level of value for each school district from an analysis of the comprehensive assessment ratio study or other studies developed by the Property Tax Administrator, in compliance with professionally accepted mass appraisal techniques, as required by section 77-1327. The Tax Commissioner shall adopt and promulgate rules and regulations setting forth standards for the determination of level of value for state aid purposes.

(3) For purposes of this section, state aid value means:

(a) For real property other than agricultural and horticultural land, ninety-six percent of actual value;

(b) For agricultural and horticultural land:

(i) For the adjusted valuation used for the calculation of aid for school fiscal years prior to school fiscal year 2023-24, seventy-two percent of actual value as provided in sections 77-1359 and 77-1363; and

(ii) For the adjusted valuation used for the calculation of aid for school fiscal year 2023-24, sixty-two percent of actual value as provided in sections 77-1359 and 77-1363;

(c) For agricultural and horticultural land that receives special valuation pursuant to section 77-1344;

(i) For the adjusted valuation used for the calculation of aid for school fiscal years prior to school fiscal year 2023-24, seventy-two percent of special valuation as defined in section 77-1343; and

(ii) For the adjusted valuation used for the calculation of aid for school fiscal year 2023-24, sixty-two percent of special valuation as defined in section 77-1343; and
17 (d) (4) For personal property, the net book value as defined in
18 section 77-120.
19 (4) On or before November 10, any local system may file with the Tax
20 Commissioner written objections to the adjusted valuations prepared by
21 the Property Tax Administrator, stating the reasons why such adjusted
22 valuations are not the valuations required by subsection (3) of this
23 section. The Tax Commissioner shall fix a time for a hearing. Either
24 party shall be permitted to introduce any evidence in reference thereto.
25 On or before January 1, the Tax Commissioner shall enter a written order
26 modifying or declining to modify, in whole or in part, the adjusted
27 valuations and shall certify the order to the State Department of
28 Education. Modification by the Tax Commissioner shall be based upon the
29 evidence introduced at hearing and shall not be limited to the
30 modification requested in the written objections or at hearing. A copy of
31 the written order shall be mailed to the local system within seven days
32 after the date of the order. The written order of the Tax Commissioner
33 may be appealed within thirty days after the date of the order to the Tax
34 Equalization and Review Commission in accordance with section 77-5013.
4 (5) On or before November 10, any local system or county official
5 may with the Tax Commissioner a written request for a nonappealable
6 correction of the adjusted valuation due to clerical error as defined in
7 section 77-128 or, for agricultural and horticultural land, assessed
8 value changes by reason of land qualified or disqualified for special use
9 valuation pursuant to sections 77-1343 to 77-1347.01. On or before the
10 following January 1, the Tax Commissioner shall approve or deny the
11 request and, if approved, certify the corrected adjusted valuations
12 resulting from such action to the State Department of Education.
13 (6) On or before May 31 of the year following the certification of
14 adjusted valuation pursuant to subsection (2) of this section, any local
15 system or county official may file with the Tax Commissioner a written
16 request for a nonappealable correction of the adjusted valuation due to
17 changes to the tax list that change the assessed value of taxable
18 property. Upon the filing of the written request, the Tax Commissioner
19 shall require the county assessor to recertify the taxable valuation by
20 school district in the county on forms prescribed by the Tax
21 Commissioner. The recertified valuation shall be the valuation that was
22 certified on the tax list, pursuant to section 77-1613, increased or
23 decreased by changes to the tax list that change the assessed value of
24 taxable property in the school district in the county in the prior
25 assessment year. On or before the following July 31, the Tax Commissioner
26 shall approve or deny the request and, if approved, certify the corrected
27 adjusted valuations resulting from such action to the State Department of
28 Education.
29 (7) No injunction shall be granted restraining the distribution of
30 state aid based upon the adjusted valuations pursuant to this section.
31 (8) A school district whose state aid is to be calculated pursuant
1 to subsection (5) of this section and whose state aid payment is
2 postponed as a result of failure to calculate state aid pursuant to such
3 subsection may apply to the state board for lump-sum payment of such
4 postponed state aid. Such application may be for any amount up to one
5 hundred percent of the postponed state aid. The state board may grant the
6 entire amount applied for or any portion of such amount. The state board
7 shall notify the Director of Administrative Services of the amount of
8 funds to be paid in a lump sum and the reduced amount of the monthly
9 payments. The Director of Administrative Services shall, at the time of
10 the next state aid payment pursuant to section 79-1022, draw a
11 warrant for the lump-sum amount from appropriated funds and forward such
12 warrant to the district.
13 2. Renumber the remaining sections, correct internal references, and
14 correct the repealer accordingly.
Senator M. Hansen filed the following amendment to LB939:

**AM1869**

(Amendments to Standing Committee amendments, AM1780)

1. On page 4, strike lines 12 through 23 and show as stricken; in
   line 24 strike "(c)", show as stricken, and insert "(a)"; and in line 29
   strike "(d)", show as stricken, and insert "(b)".
2. On page 5, line 3, strike "(e)" and insert "(c)"; in line 8
   strike "(f)" and insert "(d)"; and in line 13 strike "(g)" and insert
   6 "(e)".

Senator M. Hansen filed the following amendment to LB939:

**AM1868**

(Amendments to Standing Committee amendments, AM1780)

1. On page 6, strike lines 9 and 10 and show as stricken.

Senator M. Hansen filed the following amendment to LB939:

**AM1870**

1. Insert the following new section:
2. Sec. 2. This act becomes operative on January 1, 2023.
3. 2. Renumber the remaining section accordingly.

**NOTICE OF COMMITTEE HEARING(S)**

Revenue
Room 1524 1:30 PM

Thursday, February 17, 2022
LB1180
LB1207
LB917
LB1226

(Signed) Lou Ann Linehan, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 890.** Committee **AM1756**, found on page 503 and considered on page 527 and in this day's Journal, was renewed.

The Walz amendment, **AM71**, found on page 527 and considered in this day's Journal, to the committee amendment, was renewed.

Senator Kolterman offered the following motion:

**MO142**
Bracket until February 17, 2022.

**SPEAKER HILGERS PRESIDING**

**SENATOR WILLIAMS PRESIDING**

Pending.
COMMITTEE REPORT(S)

Appropriations

LEGISLATIVE BILL 971. Placed on General File.

(Signed) John Stinner, Chairperson

AMENDMENT(S) - Print in Journal

Senator Friesen filed the following amendment to LB890:

AM1848  (Amendments to Standing Committee amendments, AM1756)

1 1. On page 3, lines 7, 9, 19, and 21, strike “twenty” and insert
2  “thirty”.

Senator Friesen filed the following amendment to LB890:

AM1849  (Amendments to Standing Committee amendments, AM1756)

1 1. Insert the following new section:
2 Section 1. Section 77-3442, Revised Statutes Supplement, 2021, is
3 amended to read:
4 77-3442 (1) Property tax levies for the support of local governments
5 for fiscal years beginning on or after July 1, 1998, shall be limited to
6 the amounts set forth in this section except as provided in section
7 77-3444.
8 (2)(a) Except as provided in subdivisions (2)(b) and (2)(c) of this
9 section, school districts and multiple-district school systems may levy a
10 maximum levy of (i) one dollar and five cents per one hundred dollars of
11 taxable valuation of property subject to the levy for fiscal years prior
12 to fiscal year 2022-23 and (ii) one dollar and fifteen cents per one
13 hundred dollars of taxable valuation of property subject to the levy for
14 fiscal year 2022-23 and each fiscal year thereafter.
15 (b) For each fiscal year prior to fiscal year 2017-18, learning
16 communities may levy a maximum levy for the general fund budgets of
17 member school districts of ninety-five cents per one hundred dollars of
18 taxable valuation of property subject to the levy. The proceeds from the
19 levy pursuant to this subdivision shall be distributed pursuant to
20 section 79-1073.
21 (c) Except as provided in subdivision (2)(c) of this section, for
22 each fiscal year prior to fiscal year 2017-18, school districts that are
23 members of learning communities may levy for purposes of such districts' 
24 general fund budget and special building funds a maximum combined levy of
25 the difference of one dollar and five cents on each one hundred dollars
26 of taxable property subject to the levy minus the learning community levy
27 pursuant to subdivision (2)(b) of this section for such learning
28 community.
29 (d) Excluded from the limitations in subdivisions (2)(a) and (2)(c)
30 of this section are (i) amounts levied to pay for current and future sums
31 agreed to be paid by a school district to certificated employees in
32 exchange for a voluntary termination of employment occurring prior to
33 September 1, 2017, (ii) amounts levied by a school district otherwise at
34 the maximum levy pursuant to subdivision (2)(a) of this section to pay
35 for current and future qualified voluntary termination incentives for
36 certificated teachers pursuant to subsection (3) of section 79-8,142 that
37 are not otherwise included in an exclusion pursuant to subdivision (2)(d)
38 of this section, (iii) amounts levied by a school district otherwise at
39 the maximum levy pursuant to subdivision (2)(a) of this section to pay
14 for seventy-five percent of the current and future sums agreed to be paid
15 to certificated employees in exchange for a voluntary termination of
16 employment occurring between September 1, 2017, and August 31, 2018, as a
17 result of a collective-bargaining agreement in force and effect on
18 September 1, 2017, that are not otherwise included in an exclusion
19 pursuant to subdivision (2)(d) of this section, (iv) amounts levied by a
20 school district otherwise at the maximum levy pursuant to subdivision (2)
21 (a) of this section to pay for fifty percent of the current and future
22 sums agreed to be paid to certificated employees in exchange for a
23 voluntary termination of employment occurring between September 1, 2018,
24 and August 31, 2019, as a result of a collective-bargaining agreement in
25 force and effect on September 1, 2017, that are not otherwise included in
26 an exclusion pursuant to subdivision (2)(d) of this section, (v) amounts
27 levied by a school district otherwise at the maximum levy pursuant to
28 subdivision (2)(a) of this section to pay for twenty-five percent of the
29 current and future sums agreed to be paid to certificated employees in
30 exchange for a voluntary termination of employment occurring between
31 September 1, 2019, and August 31, 2020, as a result of a collective-
32 bargaining agreement in force and effect on September 1, 2017, that are
33 not otherwise included in an exclusion pursuant to subdivision (2)(d) of
34 this section, (vi) amounts levied in compliance with sections 79-10,110
35 and 79-10,110.02, and (vii) amounts levied to pay for special building
36 funds and sinking funds established for projects commenced prior to April
37 6 1, 1996, for construction, expansion, or alteration of school district
38 buildings. For purposes of this subsection, commenced means any action
39 taken by the school board on the record which commits the board to expend
40 district funds in planning, constructing, or carrying out the project.
41 (e) Federal aid school districts may exceed the maximum levy
42 prescribed by subdivision (2)(a) or (2)(c) of this section only to the
43 extent necessary to qualify to receive federal aid pursuant to Title VIII
44 of Public Law 103-382, as such title existed on September 1, 2001. For
45 purposes of this subdivision, federal aid school district means any
46 school district which receives ten percent or more of the revenue for its
47 general fund budget from federal government sources pursuant to Title
48 VIII of Public Law 103-382, as such title existed on September 1, 2001.
49 (f) For each fiscal year, learning communities may levy a maximum
50 levy of one-half cent on each one hundred dollars of taxable property
51 subject to the levy for elementary learning center facility leases, for
52 remodeling of leased elementary learning center facilities, and for up to
53 fifty percent of the estimated cost for focus school or program capital
54 projects approved by the learning community coordinating council pursuant
55 to section 79-2111.
56 (g) For each fiscal year, learning communities may levy a maximum
57 levy of one and one-half cents on each one hundred dollars of taxable
58 property subject to the levy for early childhood education programs for
59 children in poverty, for elementary learning center employees, for
60 contracts with other entities or individuals who are not employees of the
61 learning community for elementary learning center programs and services,
62 and for pilot projects, except that no more than ten percent of such levy
63 may be used for elementary learning center employees.
64 (3) For each fiscal year, community college areas may levy the
65 3 levies provided in subdivisions (2)(a) through (c) of section 85-1517, in
66 accordance with the provisions of such subdivisions. A community college
67 area may exceed the levy provided in subdivision (2)(b) of section
68 85-1517 by the amount necessary to retire general obligation bonds
69 assumed by the community college area or issued pursuant to section
70 85-1515 according to the terms of such bonds or for any obligation
71 pursuant to section 85-1535 entered into prior to January 1, 1997.
72 (4)(a) Natural resources districts may levy a maximum levy of four
73 one-half cents per one hundred dollars of taxable valuation of
74 property subject to the levy.
75 (b) Natural resources districts shall also have the power and
14 authority to levy a tax equal to the dollar amount by which their
15 restricted funds budgeted to administer and implement ground water
16 management activities and integrated management activities under the
17 Nebraska Ground Water Management and Protection Act exceed their
18 restricted funds budgeted to administer and implement ground water
19 management activities and integrated management activities for FY2003-04,
20 not to exceed one cent on each one hundred dollars of taxable valuation
21 annually on all of the taxable property within the district.
22 (c) In addition, natural resources districts located in a river
23 basin, subbasin, or reach that has been determined to be fully
24 appropriated pursuant to section 46-714 or designated as overappropriated
25 pursuant to section 46-713 by the Department of Natural Resources shall
26 also have the power and authority to levy a tax equal to the dollar
27 amount by which their restricted funds budgeted to administer and
28 implement ground water management activities and integrated management
29 activities under the Nebraska Ground Water Management and Protection Act
30 exceed their restricted funds budgeted to administer and implement ground
31 water management activities and integrated management activities for
32 FY2005-06, not to exceed three cents on each one hundred dollars of
33 taxable valuation on all of the taxable property within the district for
34 each fiscal year thereafter through fiscal year
35 2017-18.
36 (5) Any educational service unit authorized to levy a property tax
37 pursuant to section 79-1225 may levy a maximum levy of one and one-half
38 cents per one hundred dollars of taxable valuation of property subject to
39 the levy.
40 (6)(a) Incorporated cities and villages which are not within the
41 boundaries of a municipal county may levy a maximum levy of forty-five
42 cents per one hundred dollars of taxable valuation of property subject to
43 the levy plus an additional five cents per one hundred dollars of taxable
44 valuation to provide financing for the municipality's share of revenue
45 required under an agreement or agreements executed pursuant to the
46 Interlocal Cooperation Act or the Joint Public Agency Act. The maximum
47 levy shall include amounts levied to pay for sums to support a library
48 pursuant to section 51-201, museum pursuant to section 51-501, visiting
49 community nurse, home health nurse, or home health agency pursuant to
50 section 71-1637, or statue, memorial, or monument pursuant to section
51 80-202.
52 (b) Incorporated cities and villages which are within the boundaries
53 of a municipal county may levy a maximum levy of ninety cents per one
54 hundred dollars of taxable valuation of property subject to the levy. The
55 maximum levy shall include amounts paid to a municipal county for county
56 services, amounts levied to pay for sums to support a library pursuant to
57 section 51-201, a museum pursuant to section 51-501, a visiting community
58 nurse, home health nurse, or home health agency pursuant to section
59 71-1637, or a statue, memorial, or monument pursuant to section 80-202.
60 (7) Sanitary and improvement districts which have been in existence
61 for more than five years may levy a maximum levy of forty cents per one
62 hundred dollars of taxable valuation of property subject to the levy, and
63 sanitary and improvement districts which have been in existence for five
64 years or less shall not have a maximum levy. Unconsolidated sanitary and
65 improvement districts which have been in existence for more than five
66 years and are located in a municipal county may levy a maximum of eighty-
67 five cents per hundred dollars of taxable valuation of property subject
68 to the levy.
69 (8) Counties may levy or authorize a maximum levy of fifty cents per
70 one hundred dollars of taxable valuation of property subject to the levy, 9
71 except that five cents per one hundred dollars of taxable valuation of
72 property subject to the levy may only be levied to provide financing for
73 the county's share of revenue required under an agreement or agreements
74 executed pursuant to the Interlocal Cooperation Act or the Joint Public
75 Agency Act. The maximum levy shall include amounts levied to pay for sums
14 to support a library pursuant to section 51-201 or museum pursuant to
15 section 51-501. The county may allocate up to fifteen cents of its
16 authority to other political subdivisions subject to allocation of
17 property tax authority under subsection (1) of section 77-3443 and not
18 specifically covered in this section to levy taxes as authorized by law
19 which do not collectively exceed fifteen cents per one hundred dollars of
20 taxable valuation on any parcel or item of taxable property. The county
21 may allocate to one or more other political subdivisions subject to
22 allocation of property tax authority by the county under subsection (1)
23 of section 77-3443 some or all of the county’s five cents per one hundred
24 dollars of valuation authorized for support of an agreement or agreements
25 to be levied by the political subdivision for the purpose of supporting
26 that political subdivision’s share of revenue required under an agreement
27 or agreements executed pursuant to the Interlocal Cooperation Act or the
28 Joint Public Agency Act. If an allocation by a county would cause another
29 county to exceed its levy authority under this section, the second county
30 may exceed the levy authority in order to levy the amount allocated.
31 (9) Municipal counties may levy or authorize a maximum levy of one
32 dollar per one hundred dollars of taxable valuation of property subject
33 to the levy. The municipal county may allocate levy authority to any
34 political subdivision or entity subject to allocation under section
35 77-3443.
36 (10) Beginning July 1, 2016, rural and suburban fire protection
37 districts may levy a maximum levy of ten and one-half cents per one
38 hundred dollars of taxable valuation of property subject to the levy if
39 (a) such district is located in a county that had a levy pursuant to
40 subsection (8) of this section in the previous year of at least forty
41 ten cents per one hundred dollars of taxable valuation of property subject to
42 the levy or (b) such district had a levy request pursuant to section
43 77-3443 in any of the three previous years and the county board of the
44 county in which the greatest portion of the valuation of such district is
45 located did not authorize any levy authority to such district in such
46 year.
47 (11) A regional metropolitan transit authority may levy a maximum
48 levy of ten cents per one hundred dollars of taxable valuation of
49 property subject to the levy for each fiscal year that commences on the
50 January 1 that follows the effective date of the conversion of the
51 transit authority established under the Transit Authority Law into the
52 regional metropolitan transit authority.
53 (12) Property tax levies (a) for judgments, except judgments or
54 orders from the Commission of Industrial Relations, obtained against a
55 political subdivision which require or obligate a political subdivision
56 to pay such judgment, to the extent such judgment is not paid by
57 liability insurance coverage of a political subdivision, (b) for
58 preexisting lease-purchase contracts approved prior to July 1, 1998, (c)
59 for bonds as defined in section 10-134 approved according to law and
60 secured by a levy on property except as provided in section 44-4317 for
61 bonded indebtedness issued by educational service units and school
62 districts, (d) for payments by a public airport to retire interest-free
63 loans from the Division of Aeronautics of the Department of
64 Transportation in lieu of bonded indebtedness at a lower cost to the
65 public airport, and (e) to pay for cancer benefits provided on or after
66 January 1, 2022, pursuant to the Firefighter Cancer Benefits Act are not
67 included in the levy limits established by this section.
68 (13) The limitations on tax levies provided in this section are to
69 include all other general or special levies provided by law.
70 Notwithstanding other provisions of law, the only exceptions to the
71 limits in this section are those provided by or authorized by sections
72 77-3442 to 77-3444.
73 (14) Tax levies in excess of the limitations in this section shall
74 be considered unauthorized levies under section 77-1606 unless approved
75 under section 77-3444.
14 (15) For purposes of sections 77-3442 to 77-3444, political subdivision means a political subdivision of this state and a county agricultural society.
17 (16) For school districts that file a binding resolution on or before May 9, 2008, with the county assessors, county clerks, and county treasurers for all counties in which the school district has territory pursuant to subsection (7) of section 79-458, if the combined levies, except levies for bonded indebtedness approved by the voters of the school district and levies for the refinancing of such bonded indebtedness, are in excess of the greater of (a) one dollar and twenty-four cents per one hundred dollars of taxable valuation of property subject to the levy or (b) the maximum levy authorized by a vote pursuant to section 77-3444, all school district levies, except levies for bonded indebtedness approved by the voters of the school district and levies for the refinancing of such bonded indebtedness, shall be considered unauthorized levies under section 77-1606.
21 2. Renumber the remaining sections, correct internal references, and correct the repealer accordingly.

Senator Kolterman filed the following amendment to LB767:

**AM1753**

(Amendments to E&R amendments, ER101)

1 On page 12, line 19, strike "act" and insert "Pharmacy Benefit Manager Licensure and Regulation Act".

**UNANIMOUS CONSENT - Add Cointroducer(s)**

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Hilkemann name added to LB698.
Senator Slama name added to LB1167.
Senator Slama name added to LB1270.
Senator Halloran name added to LB1270.
Senator Morfeld name added to LB1270.

**VISITOR(S)**

Visitors to the Chamber were Nebraska Non-Profit Lobby Day "Cause Collective"; and fourth-grade students from St. Joseph School, Lincoln.

The Doctor of the Day was Dr. Dave Hoelting of Pender.

**ADJOURNMENT**

At 11:54 a.m., on a motion by Senator McKinney, the Legislature adjourned until 9:00 a.m., Friday, February 11, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
TWENTY-FOURTH DAY - FEBRUARY 11, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

TWENTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, February 11, 2022

PRAYER

The prayer was offered by Pastor Kimberly Belken, Lutheran Church - Salem, Ponca.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Lowe.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator M. Cavanaugh who was excused; and Senators Bostar, Brewer, Day, Friesen, B. Hansen, Hunt, McCollister, Morfeld, Pansing Brooks, and Stinner who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-third day was approved.

REPORTS

Agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 10, 2022, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature
Amack, Angela K.
   Nebraska Professional Fire Fighters Association (NPFFA)
Eickholt, Christopher/Spike
   Voices for Children in Nebraska
Jaylem Durousseau
   Students for Life Action
Lily Branham
   Students for Life Action
Moffat, Jared
   Marijuana Policy Project
Moody, Randall
   Friends of the Nebraska Environmental Trust
Nowka & Edwards
   Educational Testing Service
Sharfstein, Daniela
   Jazz Pharmaceuticals, Inc. and its subsidiaries, including Greenwich Biosciences, Inc.
Smoyer, Brent
   Rembolt Ludtke, LLP
Todd-Harlin, Andrea
   Smart-Fill

ANNOUNCEMENT

The Chair announced the birthday of Senator M. Hansen.

MOTION(S) - Confirmation Report(s)

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 499 and 500:
   Nebraska Game and Parks Commission
   Patrick L. Berggren

Voting in the affirmative, 34:

   Aguilar   Cavanaugh, J.   Groene   McCollister   Slama
   Albrecht  DeBoer        Hansen, M.  McKinney  Vargas
   Arch      Dorn          Hilkemann  Morfeld   Walz
   Blood     Flood         Koltermann  Moser     Wayne
   Bostelman Friesen      Lindstrom  Murman    Williams
   Brandt    Geist         Linehan    Pahls     Wishart
   Briese    Gragert       Lowe       Sanders

Voting in the negative, 1:

   Erdman
Present and not voting, 6:

Clements   Hilgers   Lathrop
Halloran   Hughes   McDonnell

Excused and not voting, 8:

Bostar   Cavanaugh, M.   Hansen, B.   Pansing Brooks
Brewer   Day   Hunt   Stinner

The appointment was confirmed with 34 ayes, 1 nay, 6 present and not voting, and 8 excused and not voting.

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 499 and 500:
    Nebraska Game and Parks Commission
        Douglas A. Zingula

Voting in the affirmative, 33:

Aguilar   Cavanaugh, J.   Hilkemann   McKinney   Vargas
Albrecht   DeBoer   Hughes   Morfeld   Walz
Arch   Dorn   Kolterman   Moser   Wayne
Blood   Flood   Lathrop   Murman   Williams
Bostelman   Gragert   Lindstrom   Pahls   Wishart
Brandt   Groene   Linehan   Sanders
Briese   Hansen, M.   Lowe   Slama

Voting in the negative, 1:

Erdman

Present and not voting, 7:

Clements   Geist   Hilgers   McDonnell
Friesen   Halloran   McCollister

Excused and not voting, 8:

Bostar   Cavanaugh, M.   Hansen, B.   Pansing Brooks
Brewer   Day   Hunt   Stinner

The appointment was confirmed with 33 ayes, 1 nay, 7 present and not voting, and 8 excused and not voting.

Senator Halloran moved the adoption of the Agriculture Committee report for the confirmation of the following appointment(s) found on page 345:
    Climate Assessment Response Committee
        Ervin L. Portis
Voting in the affirmative, 35:

Aguilar  Clements  Halloran  Linehan  Pahls  
Albrecht  DeBoer  Hansen,  M.  Lowe  Sanders  
Arch  Dorn  Hilkemann  McCollister  Slama  
Blood  Erdman  Hughes  McKinney  Vargas  
Bostelman  Flood  Kolterman  Morfeld  Walz  
Brandt  Gragert  Lathrop  Moser  Williams  
Cavanaugh,  J.  Groene  Lindstrom  Murman  Wishart

Voting in the negative, 0.

Present and not voting, 6:

Briese  Geist  McDonnell  
Friesen  Hilgers  Wayne

Excused and not voting, 8:

Bostar  Cavanaugh,  M.  Hansen,  B.  Pansing Brooks  
Brewer  Day  Hunt  Stinner

The appointment was confirmed with 35 ayes, 0 nays, 6 present and not voting, and 8 excused and not voting.

Senator Walz moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 502:

- Nebraska Educational Telecommunications Commission  
  Nicholas Baxter  
  Darrin Scott Good

Voting in the affirmative, 34:

Aguilar  Cavanaugh,  J.  Halloran  Linehan  Sanders  
Albrecht  Clements  Hansen,  M.  McCollister  Slama  
Arch  DeBoer  Hilkemann  McKinney  Vargas  
Blood  Dorn  Hughes  Morfeld  Walz  
Bostelman  Flood  Kolterman  Moser  Wayne  
Brandt  Gragert  Lathrop  Murman  Williams  
Briese  Groene  Lindstrom  Pahls

Voting in the negative, 0.

Present and not voting, 7:

Erdman  Geist  Lowe  Wishart  
Friesen  Hilgers  McDonnell
Excused and not voting, 8:

Bostar Cavanaugh, M. Hansen, B. Pansing Brooks
Brewer Day Hunt Stinner

The appointments were confirmed with 34 ayes, 0 nays, 7 present and not voting, and 8 excused and not voting.

Senator Linehan moved the adoption of the Revenue Committee report for the confirmation of the following appointment(s) found on page 504:

Tax Equalization and Review Commission
Robert W. Hotz

Voting in the affirmative, 33:

Aguilar Cavanaugh, J. Halloran McCollister Slama
Albrecht Clements Hansen, M. McKinney Vargas
Arch DeBoer Hilkemann Morfeld Walz
Blood Dorn Kolterman Moser Wayne
Bostelman Flood Lindstrom Murman Williams
Brandt Gragert Linehan Pahls
Briese Groene Lowe Sanders

Voting in the negative, 0.

Present and not voting, 8:

Erdman Geist Hughes McDonnell
Friesen Hilgers Lathrop Wishart

Excused and not voting, 8:

Bostar Cavanaugh, M. Hansen, B. Pansing Brooks
Brewer Day Hunt Stinner

The appointment was confirmed with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

Senator M. Hansen moved the adoption of the Government, Military and Veterans Affairs Committee report for the confirmation of the following appointment(s) found on page 504:

State Personnel Board
Jerry Lee Jensen
Voting in the affirmative, 31:

Aguilar  Cavanaugh, J.  Hilkemann  McKinney  Walz
Albrecht  DeBoer  Hughes  Morfeld  Wayne
Arch  Flood  Kolterman  Moser  Williams
Blood  Gragert  Lindstrom  Murman
Bostelman  Groene  Linehan  Pahls
Brandt  Halloran  McCollister  Sanders
Briese  Hansen, M.  McDonnell  Slama

Voting in the negative, 0.

Present and not voting, 10:

Clements  Erdman  Geist  Lathrop  Vargas
Dorn  Friesen  Hilgers  Lowe  Wishart

Excused and not voting, 8:

Bostar  Cavanaugh, M.  Hansen, B.  Pansing Brooks
Brewer  Day  Hunt  Stinner

The appointment was confirmed with 31 ayes, 0 nays, 10 present and not voting, and 8 excused and not voting.

**BILL ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 310.**

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2004, 77-2005, 77-2005.01, and 77-2006, Reissue Revised Statutes of Nebraska; to change inheritance tax rates and exemption amounts as prescribed; to change the individuals who are considered to be relatives of a decedent; to require reports; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "
Voting in the affirmative, 37:

Aguilar  DeBoer  Hansen, M.  Lowe  Vargas
Albrecht  Dorn  Hilgers  McCollister  Walz
Arch  Flood  Hilkemann  McDonnell  Wayne
Blood  Friesen  Hughes  Morfeld  Williams
Bostelman  Geist  Kolterman  Moser  Wishart
Brandt  Gragert  Lathrop  Murman
Briese  Groene  Lindstrom  Pahl
Clements  Halloran  Linehan  Slama

Voting in the negative, 1:

Erdman

Present and not voting, 3:

Cavanaugh, J.  McKinney  Sanders

Excused and not voting, 8:

Bostar  Cavanaugh, M.  Hansen, B.  Pansing Brooks
Brewer  Day  Hunt  Stinner

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LB310.

**GENERAL FILE**

**LEGISLATIVE BILL 890.** Committee **AM1756**, found on page 503 and considered on pages 527, 532, and 537, was renewed.

The Walz amendment, **FA71**, found on page 527 and considered on pages 532 and 537, to the committee amendment, was renewed.

The Kolterman motion, **MO142**, found and considered on page 537, was withdrawn.

Senator Friesen offered the following motion:

**MO143**
Bracket until April 1, 2022.

**SPEAKER HILGERS PRESIDING**

**SENATOR HUGHES PRESIDING**

Pending.
(Signed) John Stinner, Chairperson

Revenue

LEGISLATIVE BILL 776. Placed on General File.

LEGISLATIVE RESOLUTION 283CA. Placed on General File.

(Signed) Lou Ann Linehan, Chairperson

LEGISLATIVE BILL 906. Placed on Select File with amendment.

ER102

1. Strike the original sections and all amendments thereto and
2. insert the following new sections:
3. Section 1. (1) For purposes of this section:
4. (a) COVID-19 means the novel coronavirus identified as SARS-CoV-2;
5. any disease caused by SARS-CoV-2, its viral fragments, or a virus
6. mutation therefrom, and all conditions associated with the disease which
7. are caused by SARS-CoV-2, its viral fragments, or a virus mutation
8. therefrom;
9. (b) Department means the Department of Health and Human Services;
10. (c)(i) Employer means a person engaged in an industry who has one or
11. more employees;
12. (i) Employer also includes any party whose business is financed in
13. whole or in part under the Nebraska Investment Finance Authority Act
14. regardless of the number of employees and includes the State of Nebraska,
15. governmental agencies, and political subdivisions; and
16. (ii) Employer does not include (A) the United States, a corporation
17. wholly owned by the government of the United States, or an Indian tribe
18. or (B) a bona fide private membership club, other than a labor
19. organization, which is exempt from taxation under section 501(c) of the
20. Internal Revenue Code;
21. (d) Health care practitioner means a person licensed under (i) the
22. Medicine and Surgery Practice Act to practice medicine and surgery or
23. osteopathic medicine and surgery, (ii) the Medicine and Surgery Practice
24. Act to practice as a physician assistant, or (iii) the Advanced Practice
25. Registered Nurse Practice Act to practice as an advanced practice
26. registered nurse;
27. (e) Medicare-certified or medicaid-certified provider or supplier
1. means any entity, including, but not limited to, a health care facility
2. as defined in section 71-1413, that is a medicare-certified or medicaid-certified
3. provider or supplier and that is subject to the federal Centers
4. for Medicare and Medicaid Services' COVID-19 health care staff
5. vaccination requirements; and
6. (f) Vaccine exemption form means the form created by the department
7. under subsection (2) of this section.
8 (2)(a) The department shall develop a vaccine exemption form for an
9 individual to claim an exemption from receiving a COVID-19 vaccine as
10 provided in this section. The department shall make the form available on
11 the department's website within fifteen days after the effective date of
12 this act.
13 (b) The form shall include a declaration by the individual seeking
14 an exemption that:
15 (i) A health care practitioner has provided the individual with a
16 signed written statement that, in the health care practitioner's opinion,
17 (A) receiving a COVID-19 vaccine is medically contraindicated for the
18 individual or (B) medical necessity requires the individual to delay
19 receiving such vaccine; or
20 (ii) Receiving a COVID-19 vaccine would conflict with the
21 individual's sincerely held religious belief, practice, or observance.
22 (2) Subject to subsection (5) of this section, an employer that
23 requires applicants or employees to be vaccinated against COVID-19 shall
24 allow for an exemption to such requirement for an individual who provides
25 the employer with:
26 (a) A completed vaccine exemption form; and
27 (b) For an individual claiming an exemption based on the statement
28 of a health care practitioner, a copy of such signed written statement.
29 (4) An employer may require an employee granted an exemption under
30 this section to:
31 (a) Be periodically tested for COVID-19 at the employer's expense;
32 and
33 (b) Wear or use personal protective equipment provided by the
34 employer.
35 (5) A medicare-certified or medicaid-certified provider or supplier
36 or a federal contractor may require additional processes, documentation,
37 or accommodations as necessary to be in compliance with federal law and
38 to maintain compliance with the rules and regulations of the federal
39 Centers for Medicare and Medicaid Services.
40 Sec. 2. Since an emergency exists, this act takes effect when
41 passed and approved according to law.
42 2. On page 1, line 1, after the semicolon insert "to define terms;":
43 and in line 3 strike "define terms" and insert "provide for conditional
44 requirements".

LEGISLATIVE BILL 700. Placed on Select File with amendment.

ER103
1. On page 1, line 1, after the comma insert "79-920,"; in line 3
2. after "79-921," insert "84-1301,"; in line 5 strike "79-9,117" and insert
3. "79-902, 79-978, 79-992.01, 79-9,117,"; in line 9 after the semicolon
4. insert "to define and redefine terms; to change provisions relating to
5 participation in certain plans as prescribed;"; in line 11 after the
6 semicolon insert "to change duties of certain employers;"; and in line 15
7 strike "to define terms;".

(Signed) Terrell McKinney, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

Hughes - LB1015
PRESENTED TO THE GOVERNOR

Presented to the Governor on February 11, 2022, at 9:50 a.m. was the following: LB310.

(Signed) Jamie Leishman
Clerk of the Legislature's Office

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Slama name added to LB1085.
Senator Groene name added to LR284.
Senator Williams name added to LR284.

VISITOR(S)

Visitors to the Chamber were students from Creighton University, Omaha; and Rachel Gibson with the League of Women Voters.

The Doctor of the Day was Dr. David Minnick of Broken Bow.

ADJOURNMENT

At 11:46 a.m., on a motion by Speaker Hilgers, the Legislature adjourned until 10:00 a.m., Monday, February 14, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
TWENTY-FIFTH DAY - FEBRUARY 14, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

TWENTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, February 14, 2022

PRAYER

The prayer was offered by Pastor Brian Loy, O'Neill United Methodist, O'Neill.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator McDonnell.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Speaker Hilgers presiding.

The roll was called and all members were present except Senator M. Cavanaugh who was excused; and Senators Albrecht, Bostar, Briese, and Morfeld who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 549, line 19, insert the following:

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LB310.

The Journal for the twenty-fourth day was approved as corrected.

MESSAGE(S) FROM THE GOVERNOR

February 9, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol  
Lincoln, NE 68509  

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the State Board of Health:

Douglas A. Bauer, DO, 21915 Granada St., Gretna, NE 68028

Contingent upon your approval, the following individuals are being reappointed to the State Board of Health:

Douglas Vander Broeck, DC, 6511 Shenandoah Drive, Lincoln, NE 68510  
Joshua M. Vest, DPM, 9839 Thornwood Circle, Lincoln, NE 68512

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,

(Signed) Pete Ricketts  
Governor

Enclosures

February 14, 2022

Mr. President, Speaker Hilgers  
and Members of the Legislature
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Commission for the Deaf and Hard of Hearing:

Brooke J. Fitzpatrick, 3605 South 95 Street, Omaha, NE 68124

Contingent upon your approval, the following individuals are being reappointed to the Commission for the Deaf and Hard of Hearing:

Frances Beaurivage, 3726 Washington Street, Lincoln, NE 68506  
Sandra Shaw, 312 E. Maple Street, Seward, NE 68434

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.
February 14, 2022

Mr. President, Speaker Hilgers and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being reappointed to the Public Employees Retirement Board:

James Schulz, 6601 South 66th Street, Lincoln, NE 68516

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

February 14, 2022

Mr. President, Speaker Hilgers and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Motor Vehicle Industry Licensing Board:

Chad J. Tessman, 125 E. Liberty Drive, Henderson, NE 68371

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures
February 14, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Rural Health Advisory Commission:

Jeffrey Wallman, M.D., 21470 South 120 Road, Filley, NE 68357

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

February 14, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Board of Public Roads Classifications and Standards:

Brandie S. Neemann, Department of Transportation, 1500 Highway 2,
Lincoln, NE 68509

Contingent upon your approval, the following individuals are being reappointed to the Board of Public Roads Classifications and Standards:

Edward R. Wootton, Sr., 804 W. Mission Avenue, Bellevue, NE 68005
Barbara J. Keegan, 302 Cheyenne Avenue, Hemingford, NE 69348
James A. Litchfield, 201 Highland Street, Wakefield, NE 68784

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.
Senator Kolterman filed the following amendment to LB838:

AMENDMENT(S) - Print in Journal

1. Strike the original section and insert the following new section:
2. Section 1. (1) For purposes of this section;
3. (a) Child care or education program means any of the following:
4. (i) A child care program licensed under the Child Care Licensing Act
5. which serves children from birth to kindergarten and participates in the
6. Head Start program pursuant to 42 U.S.C. 9831 et seq., as
7. any such program existed on January 1, 2022; or
8. (ii) An Early Head Start Program pursuant to 42 U.S.C. 9840a et
9. seq., as such sections existed on January 1, 2022;
10. (b) Full-time employee means an individual employed to work thirty
11. or more hours each week;
12. (c) Health insurance deductible means the amount required to be paid
13. out of pocket before the health insurance provider begins to pay the
14. costs associated with treatment; and
15. (d) Health insurance premium means all money paid as a condition of
16. receiving health insurance coverage from a health insurance provider;
17. (2) The State Department of Education shall create a program to
18. support the early childhood workforce. Support provided by the program
19. may include, but is not limited to, paying for all or part of the
20. following:
21. (a) Health insurance premiums;
22. (b) Health insurance deductibles; or
23. (c) Other expenses related to health insurance.
24. (3) The following individuals are eligible to receive support from
25. the program described in subsection (2) of this section:
26. (a) Any full-time employee at an entity that provides child care or
27. education programs for children; and
28. (b) Any self-employed individual who provides a child care or
29. education program for children.
30. (4) The department may contract with any third party to carry out
31. this section.
32. (5) It is the intent of the Legislature:
33. (a) To appropriate fifteen million dollars from the General Fund
34. each fiscal year to the State Department of Education, which shall only
35. be used for the purpose of carrying out this section;
36. (b) That any money appropriated to carry out this section that is
37. not utilized in the fiscal year for which it is appropriated shall lapse
38. and not be reappropriated for the following fiscal year; and
39. (c) That any unused appropriation of money from a prior fiscal year
40. shall not affect the amount appropriated in a subsequent fiscal year.

Sincerely,
(Signed) Pete Ricketts
Governor
RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 291 and 292 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 291 and 292.

GENERAL FILE

LEGISLATIVE BILL 847. Title read. Considered.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 5 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 567. Title read. Considered.

Committee AM301, found on page 783, First Session, 2021, was adopted with 42 ayes, 0 nays, 5 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 749. Title read. Considered.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 704. Title read. Considered.

SENATOR HUGHES PRESIDING

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 786. Title read. Considered.

Senator Wayne requested a roll call vote on the advancement of the bill.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 791. Title read. Considered.

SPEAKER HILGERS PRESIDING
Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 592.** Considered.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 754.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 758.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 892.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 708.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 685.** Senator M. Cavanaugh withdrew her motion, **MO131**, to bracket.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 767.** **ER101**, found on page 494, was adopted.

Senator Kolterman offered his amendment, **AM1753**, found on page 542.

The Kolterman amendment was adopted with 39 ayes, 0 nays, 7 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 906.** **ER102**, found on page 550, was offered.

**SENATOR HUGHES PRESIDING**

Senator Hunt requested a record vote on the adoption of the Enrollment and Review amendment.

Voting in the affirmative, 32:
Voting in the negative, 0.

Present and not voting, 12:

Blood    DeBoer    Hunt    McCollister
Cavanaugh, J.    Groene    Kolterman    Vargas
Day    Hansen, M.    Lathrop    Wayne

Excused and not voting, 5:

Aguilar    Briese    Cavanaugh, M.    Flood    Morfeld

ER102 was adopted with 32 ayes, 0 nays, 12 present and not voting, and 5 excused and not voting.

Pending.

RESOLUTION(S)


PURPOSE: The purpose of this study is to examine the public employees' retirement systems administered by the Public Employees Retirement Board, including the State Employees Retirement System, the County Employees Retirement System, the School Employees Retirement System, the Nebraska State Patrol Retirement System, and the Judges Retirement System. The study may also examine the retirement system administered under the Class V School Employees Retirement Act. The study shall examine issues as they relate to the funding needs, benefits, contributions, and the administration of each retirement system.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Nebraska Retirement Systems Committee shall be designated to conduct an interim study to carry out the purpose of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

PURPOSE: The purpose of this study is to carry out the provisions of section 13-2402, which requires the Nebraska Retirement Systems Committee to monitor underfunded defined benefit plans administered by political subdivisions. The study shall include a public hearing for the presentation of reports by political subdivisions with underfunded defined benefit plans.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Nebraska Retirement Systems Committee shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 296. Introduced by Stinner, 48.

WHEREAS, Zac Taylor played the position of quarterback for the Nebraska Cornhuskers in the 2005 and 2006 seasons; and
WHEREAS, during those two seasons, Taylor led the Nebraska Cornhuskers to 17 wins and the 2006 Big 12 North Division title; and
WHEREAS, in 2006, Taylor was named the Big 12 Offensive Player of the Year; and
WHEREAS, Taylor holds the All-Time Nebraska Cornhuskers records for most passes completed in one game (36), pass attempts in a game without an interception (55), passing touchdowns in one season (26), along with many other records; and
WHEREAS, Taylor entered the coaching profession, working as an assistant coach for multiple professional and college teams; and
WHEREAS, on February 4, 2019, Taylor was hired as the head coach of the Cincinnati Bengals football team in the National Football League; and
WHEREAS, Taylor is only the fifth Nebraska Cornhusker football player to be named a head coach in the National Football League; and
WHEREAS, on February 13, 2022, Taylor coached his team in Super Bowl LVI, becoming the first former Nebraska Cornhusker to reach a Super Bowl as a head coach.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature recognizes and appreciates Zac Taylor’s dedication and success at the University of Nebraska as a member of the Nebraska Cornhuskers football team.
2. That the Legislature congratulates Zac Taylor on reaching Super Bowl LVI as the head coach of the Cincinnati Bengals.
3. That copies of this resolution be sent to Zac Taylor and the University of Nebraska-Lincoln Athletic Department.

Laid over.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

Bauer, Douglas A. - State Board of Health - Health and Human Services  
Beaurivage, Frances - Commission for the Deaf and Hard of Hearing - Health and Human Services  
Fitzpatrick, Brooke J. - Commission for the Deaf and Hard of Hearing - Health and Human Services  
Keegan, Barbara J. - Board of Public Roads Classifications and Standards - Transportation and Telecommunications  
Litchfield, James A. - Board of Public Roads Classifications and Standards - Transportation and Telecommunications  
Neemann, Brandie S. - Board of Public Roads Classifications and Standards - Transportation and Telecommunications  
Schulz, James - Public Employees Retirement Board - Nebraska Retirement Systems  
Shaw, Sandra - Commission for the Deaf and Hard of Hearing - Health and Human Services  
Tessman, Chad J. - Nebraska Motor Vehicle Industry Licensing Board - Transportation and Telecommunications  
Vander Broeck, Douglas - State Board of Health - Health and Human Services  
Vest, Joshua M. - State Board of Health - Health and Human Services  
Wallman, Jeffrey - Nebraska Rural Health Advisory Commission - Health and Human Services  
Wootton, Edward R., Sr. - Board of Public Roads Classifications and Standards - Transportation and Telecommunications

(Signed) Dan Hughes, Chairperson  
Executive Board

**ANNOUNCEMENT(S)**

Priority designation(s) received:

Bostelman - LB1099  
Hunt - LB121
AMENDMENT(S) - Print in Journal

Senator Groene filed the following amendment to LB906:

FA72
Amend ER102:
Strike Sec. 4 lines 29-31 of page 2, lines 1-3 of page 3.
Strike on line 5 page 3 "or a federal contractor".

Senator Friesen filed the following amendment to LB906:

AM1902
1. Insert the following new section:

(a) COVID-19 means the novel coronavirus identified as SARS-CoV-2;
(b) Postsecondary institution has the same meaning as in section
(c) Refund any amount of such student's tuition or fees paid for any
(d) Transfer such student's earned credit hours to another
(e) Postsecondary institution as requested by the student.
(f) Renumber the remaining section accordingly.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Briese name added to LB902.
Senator Sanders name added to LB1006.
Senator Murman name added to LB1270.

ANNOUNCEMENT

Senator Brewer announced the Government, Military and Veterans Affairs Committee will hold an executive session Tuesday, February 15, 2022, at 10:00 a.m., under the South Balcony.

VISITOR(S)

The Doctor of the Day was Dr. Charles Smith of Lincoln.
ADJOURNMENT

At 11:59 a.m., on a motion by Senator Bostar, the Legislature adjourned until 9:00 a.m., Tuesday, February 15, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
TWENTY-SIXTH DAY - FEBRUARY 15, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

TWENTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 15, 2022

PRAYER

The prayer was offered by Reverend Becky Whitehead, Unity of Omaha, Omaha.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Moser.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Williams presiding.

The roll was called and all members were present except Senators Bostar, Bostelman, Briese, M. Cavanaugh, Day, Flood, Lathrop, Linehan, Morfeld, Pansing Brooks, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-fifth day was approved.

COMMITTEE REPORT(S)

Business and Labor

LEGISLATIVE BILL 717. Placed on General File.
LEGISLATIVE BILL 1137. Placed on General File.

LEGISLATIVE BILL 512. Placed on General File with amendment.

AM1620
1 1. Strike original section 6.
2 2. On page 2, strike lines 7 through 11 and insert the following new
3 subdivision:
4 "(2) Critical infrastructure utility worker means an essential
5 critical infrastructure worker identified in the Guidance on the
6 Essential Critical Infrastructure Workforce, Version 4.0, as released on
8 Cybersecurity and Infrastructure Security Agency.
9 (3) On page 3, line 16, after the semicolon insert "and"; strike
10 lines 17 through 19; in line 20 strike "(3)" and insert "(2)"; and in
11 line 22 after "workers" insert "in accordance with federal law and
12 regulations regarding eligibility".

LEGISLATIVE BILL 780. Placed on General File with amendment.
AM1645
1. On page 3, line 14, strike "county superintendent" and insert
2 "superintendent of the school district in which the child resides".

(Signed) Ben Hansen, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Natural Resources
Room 1525 1:30 PM

Wednesday, February 23, 2022
Paul E. Strommen - Nebraska Oil and Gas Conservation Commission
Dallen R. Juelfs - Nebraska Oil and Gas Conservation Commission

(Signed) Bruce Bostelman, Chairperson

ANNOUNCEMENT(S)
Priority designation(s) received:

Blood - LR263CA

SELECT FILE

LEGISLATIVE BILL 906. Senator Groene offered his amendment, FA72,
found on page 563.

SENATOR HUGHES PRESIDING

Senator M. Hansen offered the following motion:
MO144
Recommit to Health and Human Services Committee.

Senator Blood offered the following motion:
MO145
Bracket until April 20, 2022.

SPEAKER HILGERS PRESIDING

Senator Blood withdrew her motion to bracket.

Pending.
ANNOUNCEMENT(S)

Priority designation(s) received:

DeBoer - LB1241

NOTICE OF COMMITTEE HEARING(S)

Government, Military and Veterans Affairs
Room 1507 1:30 PM

Wednesday, February 23, 2022
Ann Ashford - Nebraska Accountability and Disclosure Commission
LB793
LB794

Thursday, February 24, 2022
LB965
LB1077

Friday, February 25, 2022
LB1134
LB1139

Wednesday, March 2, 2022
LB1181
LB1123
LB1121

(Signed) Tom Brewer, Chairperson
Education
Room 1525 1:30 PM

Tuesday, February 22, 2022
AM1889 to LB838
LB1027
LB852
LB1211
LB1212

(Signed) Lynne Walz, Chairperson

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 767A. Introduced by Kolterman, 24.
A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 767, One Hundred Seventh Legislature, Second Session, 2022.

**LEGISLATIVE BILL 776A.** Introduced by Brewer, 43.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 776, One Hundred Seventh Legislature, Second Session, 2022.

**SELECT FILE**

**LEGISLATIVE BILL 906.** Senator Groene renewed his amendment, [FA72](#), found on page 563 and considered in this day's Journal.

Senator M. Hansen renewed his motion, [MO144](#), found in this day's Journal, to recommit to Health and Human Services Committee.

Senator M. Hansen withdrew his motion to recommit to committee.

Senator Erdman moved for a call of the house. The motion prevailed with 22 ayes, 3 nays, and 24 not voting.

The Groene amendment lost with 18 ayes, 20 nays, 9 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Friesen offered his amendment, [AM1902](#), found on page 563.

Senator Friesen withdrew his amendment.

Pending.

**ANNOUNCEMENT(S)**

Priority designation(s) received:

- Appropriations - LB1014
- Stinner - LB1068

**COMMITTEE REPORT(S)**

- Natural Resources

**LEGISLATIVE BILL 1099.** Placed on General File with amendment.

**AM1895**

1. Strike the original sections and insert the following new sections:
2. Section 1. (1) The Department of Economic Development shall create the Nebraska Hydrogen Hub Industry Work Group. The Governor shall appoint...
members to the work group that include, but are not limited to, representatives from the following sectors: (a) Manufacturing or industry, (b) agriculture, (c) transportation, and (d) energy. The work group may include a representative of a clean hydrogen manufacturer.

(2) The purpose of the work group is to develop and draft a competitive proposal which may be submitted to the United States Department of Energy to be selected as one of the four regional clean hydrogen hubs authorized under the federal Infrastructure Investment and Jobs Act, Public Law 117-58.

(3) The Department of Economic Development may contract with private consultants to create the competitive proposal. Specifically, the work group shall determine how to maximize the state’s geographic location to connect a nationwide hydrogen network. Additionally, the work group shall build a plan to make the case for an agricultural-based clean hydrogen hub, expanding the existing eligible purposes.

Sec. 2. Since an emergency exists, this act takes effect when passed and approved according to law.

(Signed) Bruce Bostelman, Chairperson

Education

LEGISLATIVE BILL 887. Placed on General File.

The Education Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Dennis A. Headrick - Coordinating Commission for Postsecondary Education

Nay: 0. Absent: 0. Present and not voting: 1. McKinney.

(Signed) Lynne Walz, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Education

Room 1525 1:30 PM

Monday, February 28, 2022
LB1034
LB1251
LB1179
LB912

Tuesday, March 1, 2022
LB1078
LB711
LB1157
LR278CA
LB1143
(Signed) Lynne Walz, Chairperson

AMENDMENT(S) - Print in Journal

Senator Hunt filed the following amendment to LB906:
AM1923 (Amendments to E& R amendments, ER102)
1 1. On page 1, line 10, strike "one" and insert "fifteen".

Senator Hunt filed the following amendment to LB906:
AM1925 (Amendments to E & R amendments, ER102)
1 1. On page 2, line 29, strike "may" and insert "shall".

Senator Hunt filed the following amendment to LB906:
AM1927 (Amendments to E&R amendments, ER102)
1 1. On page 2, line 22, after the comma insert "and except as provided in subsection (6) of this section.",
2 strike "(a)" and insert "(i)"; in line 27 strike "(b)" and insert "(ii)";
3 and after line 28 insert the following new subdivision:
4 "(b) If such exemption is granted, the employer shall provide hazard pay in addition to regular wages to all employees who are in compliance with the requirement to be vaccinated against COVID-19 in compensation for the health risk of forced exposure to the unvaccinated individual."

Senator Hunt filed the following amendment to LB906:
AM1926 (Amendments to E&R amendments, ER102)
1 1. On page 2, line 22, after the comma insert "and except as provided in subsection (6) of this section.",
2 strike "(a)" and insert "(i)"; in line 27 strike "(b)" and insert "(ii)";
3 and after line 28 insert the following new subdivision:
4 "(b) If such exemption is granted, the employer shall provide hazard pay in addition to regular wages to all employees who are in compliance with the requirement to be vaccinated against COVID-19 in compensation for the health risk of forced exposure to the unvaccinated individual."

COMMITTEE REPORT(S)

Government, Military and Veterans Affairs

LEGISLATIVE BILL 691. Placed on General File.
LEGISLATIVE BILL 742. Placed on General File.
LEGISLATIVE BILL 765. Placed on General File.
LEGISLATIVE BILL 787. Placed on General File.
LEGISLATIVE BILL 983. Placed on General File.
LEGISLATIVE BILL 1122. Placed on General File.
LEGISLATIVE BILL 1178. Placed on General File.

LEGISLATIVE BILL 1037. Placed on General File with amendment.
AM1887
1 1. Insert the following new sections:
2 Sec. 2. Section 81-153, Reissue Revised Statutes of Nebraska, is amended to read:
4 81-153 The materiel division shall have the power and duty to:
5 (1) Purchase or contract for, in the name of the state, the personal
6 property required by the using agencies and the state;
7 (2) Promulgate, apply, and enforce standard specifications
8 established as provided in section 81-154;
9 (3) Sell and dispose of personal property that is not needed by the
10 state or its using agencies as provided in section 81-161.04 or initiate
11 trade-ins when determined to be in the best interest of the state;
12 (4) Determine the utility, quality, fitness, and suitability of all
13 personal property tendered or furnished;
14 (5) Make rules and regulations consistent with sections 81-145 to
15 81-171 and 81-1118 to 81-1118.06 to carry into effect the provisions
16 thereof. Such rules and regulations shall include provisions for
17 modifying and terminating purchase contracts and the cost principles to
18 be used in such modification or termination;
19 (6) Employ such clerical, technical, and other assistants as may be
20 necessary to properly administer such sections, fix their compensation,
21 and prescribe their duties in connection therewith, subject to existing
22 laws and appropriations;
23 (7) Allow the purchase of personal property without competitive
24 bidding, when the price has been established by the federal General
25 Services Administration or to allow the purchase of personal property by
26 participation in a contract competitively bid by another state or group
27 of states, a group of states and any political subdivision of any other
28 state, or a cooperative purchasing organization on behalf of a group of
29 states. The division may also give consideration to a sheltered workshop
30 pursuant to section 48-1503 in making such purchases;
31 (8) Enter into any personal property lease agreement when it appears
32 to be in the best interest of the state;
33 (9) Negotiate purchases and contracts when conditions exist to
34 defeat the purpose and principles of public competitive bidding; and -
35 (10) Obtain an electronic procurement system, which shall be funded
36 or paid for by providing the system provider with, as determined by the
37 materiel administrator, a percentage or portion of identified
38 transactions. Such percentage or portion may be collected by the system
39 provider from contractors and bidders.
40 Sec. 3. Section 81-1120, Reissue Revised Statutes of Nebraska, is
41 amended to read:
42 81-1120 (1) There is hereby created the Materiel Division Revolving
43 Fund. The fund shall be administered by the materiel division of the
44 Department of Administrative Services. The fund shall consist of (a) fees
45 paid for printing, copying, central supply, and mailing services provided
46 to state agencies and local subdivisions by the division; and (b) 20
47 assessments charged by the materiel administrator to state agencies, 21
48 boards, and commissions for purchasing services provided by the division;
49 and (c) any money collected pursuant to subdivision (10) of section
50 81-153. Such assessments shall be adequate to cover actual and necessary
51 expenses that are associated with providing the service and not otherwise
52 covered by the money collected pursuant to subdivision (10) of section
53 81-153. The fund shall be used to pay for expenses incurred by the 27
54 division to provide such services.
55 (2) State agencies, boards, and commissions shall make the materiel
56 division assessment payments to the fund no later than August 1 of each
57 30 year, or in four equal payments to be made no later than August 1, 31
58 October 1, February 1, and April 1 of each year, at the discretion of the 1
59 materiel administrator.
60 (3) Any money in the fund available for investment shall be invested 3
61 by the state investment officer pursuant to the Nebraska Capital 4
62 Expansion Act and the Nebraska State Funds Investment Act.
63 Sec. 4. Sections 2, 3, and 5 of this act become operative three 6
64 calendar months after the adjournment of this legislative session. The
7 other sections of this act become operative on their effective date.
8 Sec. 5. Original sections 81-153 and 81-1120, Reissue Revised
9 Statutes of Nebraska, are repealed.
10 2. Renumber the remaining section accordingly.

(Signed) Tom Brewer, Chairperson

ANNOUNCEMENT(S)

Senator Bostelman announced the Natural Resources Committee will hold an executive session Wednesday, February 16, 2022, following the hearing in Room 1525.

Senator B. Hansen announced the Business and Labor Committee will hold an executive session Thursday, February 17, 2022, at 12:00 p.m., in Room 1524.

VISITOR(S)

Visitors to the Chamber were a group of high school students from Blair; and a group from the League of Women Voters of Nebraska.

The Doctor of the Day was Dr. Brett Copley of Syracuse.

ADJOURNMENT

At 11:57 a.m., on a motion by Senator Geist, the Legislature adjourned until 9:00 a.m., Wednesday, February 16, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
TWENTY-SEVENTH DAY - FEBRUARY 16, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

TWENTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 16, 2022

PRAYER

The prayer was offered by Father Ryan Lewis, St. Elizabeth Ann Seton Church, Omaha.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Murman.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Hilgers presiding.

The roll was called and all members were present except Senator Walz who was excused; and Senators Bostar, Briese, M. Cavanaugh, Lathrop, McDonnell, Morfeld, Stinner, and Vargas who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-sixth day was approved.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 847. Placed on Select File with amendment.

ER104
1 1. On page 1, line 4, after the first "and" insert "public".

LEGISLATIVE BILL 567. Placed on Select File with amendment.

ER107
1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Section 48-625, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 48-625 (1) Except as provided in subsection (4) of this section, each
6 eligible individual who is unemployed in any week shall be paid
7 with respect to such week a benefit in an amount equal to his or her full
8 weekly benefit amount if he or she has wages payable to him or her with
9 respect to such week equal to one-fourth of such benefit amount or less.
10 In the event he or she has wages payable to him or her with respect to
11 such week greater than one-fourth of such benefit amount, he or she shall
12 be paid with respect to that week an amount equal to the individual’s
13 weekly benefit amount less that part of wages payable to the individual
14 with respect to that week in excess of one-fourth of the individual’s
15 weekly benefit amount. In the event there is any deduction from such
16 individual’s weekly benefit amount because of earned wages pursuant to
17 this subsection or as a result of the application of section 48-628.02,
18 the resulting benefit payment, if not an exact dollar amount, shall be
19 computed to the next lower dollar amount.
20 (2) Any amount of unemployment compensation payable to any
21 individual for any week, if not an even dollar amount, shall be rounded
22 to the next lower full dollar amount.
23 (3) The percentage of benefits and the percentage of extended
24 benefits are federally funded may be adjusted in accordance with
25 the Balanced Budget and Emergency Deficit Control Act of 1985, Public Law
26 99-177.
27 (4) To the extent authorized under federal law, if an individual is
28 eligible for an equal or greater weekly benefit amount under a federal
29 unemployment program than the weekly benefit amount which the individual
30 is eligible for under the Employment Security Law, the commissioner shall
31 suspend the payment of state unemployment benefits to such individual
32 while such individual is receiving the federal unemployment benefit. Such
33 suspension shall terminate upon the individual’s exhaustion of benefits
34 available under the federal unemployment program. An individual shall not
35 be eligible to receive the federal weekly benefit and the state
36 unemployment weekly benefit during the same week. This subsection shall
37 not apply to any federal unemployment benefit which is paid in addition
38 to the state weekly benefit amount.
39 Sec. 2. Section 48-626, Reissue Revised Statutes of Nebraska, is
40 amended to read:
41 48-626 (1) For any benefit year beginning before October 1, 2018,
42 any otherwise eligible individual shall be entitled during any benefit
43 week to a total amount of benefits equal to whichever is the lesser of
44 (a) twenty-six times his or her benefit amount or (b) one-third of his or
45 her wages in the employment of each employer per calendar quarter of his
46 or her base period, except that when any individual has been separated
47 from his or her employment with a base period employer under the
48 circumstances under which he or she was or could have been determined
49 disqualified under section 48-626.10 or 48-626.12, the total benefit
50 amount based on the employment from which he or she was so separated
51 shall be reduced by an amount equal to the number of weeks for which he
52 or she is or would have been disqualified had he or she filed a claim
53 immediately after the separation, multiplied by his or her weekly benefit
54 amount, but not more than one reduction may be made for each separation.
55 In no event shall the benefit amount based on employment for any employer
56 be reduced to less than one benefit week when the individual was or could
57 have been determined disqualified under section 48-626.12.
58 (2) For any benefit year beginning before October 1, 2021, any otherwise eligible individual shall be entitled during any
59 benefit year to a total amount of benefits equal to whichever is the
60 lesser of (a) twenty-six times his or her weekly benefit amount or (b)
61 one-third of his or her wages in the employment of each employer per
62 calendar quarter of his or her base period; except that when any
63 individual has been separated from his or her employment with a base
7 period employer under circumstances under which he or she was or could
8 have been determined disqualified under section 48-628.10 or 48-628.12,
9 the total benefit amount based on the employment from which he or she was
10 so separated shall be reduced by an amount determined pursuant to
11 subsection (2)(a) of this section, but not more than one reduction may
12 be made for each separation. In no event shall the benefit amount based
13 on employment for any employer be reduced to less than one benefit week
14 when the individual was or could have been determined disqualified under
15 section 48-628.12.
16 (2)(a) For purposes of determining the reduction of benefits
17 described in subsection (1)(a) of this section:
18 (a) If the claimant has been separated from his or her employment
19 under circumstances under which he or she was or could have been
20 determined disqualified under section 48-628.12, his or her total benefit
21 amount shall be reduced by:
22 (i) Two times his or her weekly benefit amount if he or she left
23 work voluntarily for the sole purpose of accepting previously secured,
24 permanent, full-time, insured work, which he or she does accept, which
25 offers a reasonable expectation of betterment of wages or working
26 conditions, or both, and for which he or she earns wages payable to him
27 or her; or
28 (ii) Thirteen times his or her weekly benefit amount if he or she
29 left work voluntarily without good cause for any reason other than that
30 described in subdivision (2)(a)(i) of this section; and
31 (b) If the claimant has been separated from his or her employment
32 under circumstances under which he or she was or could have been
33 determined disqualified under section 48-628.10, his or her total benefit
34 amount shall be reduced by fourteen times his or her weekly benefit
35 amount.
36 (3) For any benefit year beginning on or after October 1, 2021, any
37 otherwise eligible individual shall be entitled during any benefit year
38 to a total amount of benefits equal to whichever is the lesser of (a)
39 twenty-six times his or her weekly benefit amount or (b) one-third of his
40 or her wages in the employment of the most recent prior base period of
41 his or her base period, except that when any individual has been
42 separated from his or her employment the most recent insured
43 employer under circumstances under which he or she was or could have been
44 determined disqualified under section 48-628.10 or 48-628.12, the total
45 benefit amount based on the employment from which he or she was
46 separated shall be reduced by an amount determined pursuant to subsection
47 (4) of this section, but not more than one reduction may be made for such
48 separation. In no event shall the benefit amount based on employment for
49 any employer be reduced to less than one benefit week when the individual
50 was or could have been determined disqualified under section 48-628.12.
51 (4) For purposes of determining the reduction of benefits described
52 in subsection (3) of this section:
53 (a) If the claimant has been separated from his or her employment
54 under circumstances under which he or she was or could have been
55 determined disqualified under section 48-628.12, his or her total benefit
56 amount shall be reduced by thirteen times his or her weekly benefit
57 amount if he or she left work voluntarily without good cause; and
58 (b) If the claimant has been separated from his or her employment
59 under circumstances under which he or she was or could have been
60 determined disqualified under section 48-628.10, his or her total benefit
61 amount shall be reduced by fourteen times his or her weekly benefit
62 amount.
63 (5) For purposes of sections 48-623 to 48-626, wages shall be
64 counted as wages for insured work for benefit purposes with respect to
65 any benefit year only if such benefit year begins subsequent to the date
66 on which the employer by whom such wages were paid has satisfied the
5 conditions of section 48-603 or subsection (3) of section 48-661 with
6 respect to becoming an employer.
7 (6) In order to determine the benefits due under this section
8 and sections 48-624 and 48-625, each employer shall make reports, in
9 conformity with reasonable rules and regulations adopted and promulgated
10 by the commissioner, of the wages of any claimant. If any employer fails
11 to make such a report within the time prescribed, the commissioner may
12 accept the statement of such claimant as to his or her wages, and any
13 benefit payments based on such statement of earnings, in the absence of
14 fraud or collusion, shall be final as to the amount.
15 Sec. 3. Original sections 48-625 and 48-626, Reissue Revised
16 Statutes of Nebraska, are repealed.
17 2. On page 1, strike lines 2 through 4 and insert "sections 48-625
18 and 48-626, Reissue Revised Statutes of Nebraska; to change provisions
19 relating to payment of weekly benefits and maximum annual benefit
20 amounts; to harmonize provisions; and to repeal the original sections.".

LEGISLATIVE BILL 749. Placed on Select File.

LEGISLATIVE BILL 704. Placed on Select File with amendment.

ER106
1 1. On page 1, line 3, after "embalming" insert "and apprentice"; and
2 in line 5 strike "to harmonize provisions;".

LEGISLATIVE BILL 786. Placed on Select File.

LEGISLATIVE BILL 791. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

COMMITTEE REPORT(S)
Judiciary

LEGISLATIVE BILL 102. Placed on General File.
LEGISLATIVE BILL 748. Placed on General File.
LEGISLATIVE BILL 808. Placed on General File.
LEGISLATIVE BILL 810. Placed on General File.
LEGISLATIVE BILL 870. Placed on General File.
LEGISLATIVE BILL 879. Placed on General File.
LEGISLATIVE BILL 1244. Placed on General File.
LEGISLATIVE BILL 896. Placed on General File with amendment.

AM1930

11. Strike the original sections and insert the following new sections:

3 Section 1. Section 83-182.01, Revised Statutes Cumulative
4 Supplement, 2020, is amended to read:
5 3083-182.01 (1) Structured programming shall be planned for all adult
6 inmates committed to the department. The structured programming shall
7 include any of the following: Work programs, vocational training,
8 behavior management and modification, money management, and substance
9 abuse awareness, counseling, or treatment. Programs and treatment
10 offered to inmates shall address:
11 (a) Behavioral impairments, severe emotional disturbances, and other
12 mental health or psychiatric disorders;
13 (b) Drug and alcohol use and addiction;
14 (c) Health and medical needs;
15 (d) Education and related services;
16 (e) Counseling services for persons committed to the department who
17 have been physically or sexually abused;
18 (f) Work ethic and structured work programs;
19 (g) The development and enhancement of job acquisition skills and
20 job performance skills; and
21 (h) Cognitive behavioral intervention.
22 Structured programming may also include classes and activities
23 organized by inmate self-betterment clubs, cultural clubs, and other
24 inmate-led or volunteer-led groups.
25 (2) The goal of structured programming is to provide the skills
26 necessary for the person committed to the department to successfully
27 return to his or her home or community or to a suitable alternative
28 community upon his or her release from the adult correctional facility.
29 The Legislature recognizes that many inmate self-betterment clubs and
30 cultural clubs help achieve this goal by providing constructive
31 opportunities for personal growth.
32 (3) If a person committed to the department refuses to participate
33 in the structured programming described in subsection (1) of this
34 section, he or she may be subject to disciplinary action, except
35 that a person committed to the department who refuses to participate in
36 structured programming consisting of classes and activities organized by
37 inmate self-betterment clubs, cultural clubs, or other inmate-led or
38 volunteer-led groups shall not be subject to disciplinary action.
39 (4) Any person committed to the department who is qualified by
40 reason of education, training, or experience to teach academic or
41 vocational classes may be given the opportunity to teach such classes to
42 committed offenders as part of the structured programming described in
43 this section.
44 (5) The department shall evaluate the quality of programs
45 funded by the department, including the extent to which
46 availability of funding, the department may contract with an
47 independent contractor or an academic institution for each program
48 evaluation. Each program evaluation shall be standardized and shall
49 include a site visit, interviews with key staff, interviews with
50 offenders, group observation, if applicable, and review of materials used
51 for the program. The evaluation shall include adherence to concepts that
52 are linked with program effectiveness, such as program procedures, staff
53 qualifications, and fidelity to the program model of delivering offender
54 assessment and treatment. Each program evaluation shall also include a
55 rating on the effectiveness of the program and feedback to the department
56 and the office of Inspector General of the Nebraska Correctional System.
31 concerning program strengths and weaknesses and recommendations for
1 better adherence to evidence-based programming, if applicable.
2 (b) The evaluation shall also make recommendations regarding the
3 availability of programs throughout the correctional system, the ability
4 to deliver the programs in a timely manner, and the therapeutic
5 environment in which such programs are delivered at each facility and
6 shall include a cost-benefit analysis of each program, if applicable.
7 Program evaluations shall be prioritized in the following order: (i)
8 Clinical treatment programs; (ii) nonclinical treatment programs; and
9 (iii) other structured programs. Clinical treatment programs shall be
10 evaluated at least once every three years and nonclinical treatment and
11 structured programs shall be evaluated on a regular basis.
12 (c) For purposes of this subsection:
13 (i) Clinical treatment program means a program designed to address
14 specific behavioral health needs delivered by a licensed behavioral
15 health professional, and
16 (ii) Nonclinical treatment program means a cognitive behavioral
17 intervention program delivered by volunteers or department staff.
18 Sec. 2. Original section 83-182.01, Revised Statutes Cumulative
19 Supplement, 2020, is repealed.

LEGISLATIVE BILL 1241. Placed on General File with amendment.
AM1898
1 1. On page 8, lines 9-12, strike the new matter; in line 12 after
2 the period insert "A law enforcement officer may retire from service in
3 good standing without meeting the continuing education requirements in
4 the calendar year of the officer's retirement.".
5 2. On page 10, strike lines 2 through 8 and insert the following new
6 subdivision:
7 "(c) Provide proof that the applicant was awarded a certificate or
8 diploma attesting to satisfactory completion of a training program
9 determined by the council to be equivalent to the curriculum in
10 subdivision (2)(a) of section 81-1414; and", in line 16 after the period
11 insert "the council shall take action on an application within forty-five
12 days after an applicant has completed all requirements under this
13 section;", and in line 30 strike "and provide it" and insert "by July 1,
14 2022. The council shall provide such study guide."

LEGISLATIVE BILL 1246. Placed on General File with amendment.
AM1842
1 1. On page 2, line 15 after "shared" insert "by such criminal
2 justice agencies and".
3 2. On page 3, line 3, strike the second "or"; after line 3 insert
4 the following new subdivision:
5 "(i) As a Title IX coordinator; or
6 (ii) To receive reports related to sexual assault or sex trafficking
7 or to provide supportive measures related to such reports; or", and in
8 line 4 strike "(i)" and insert "(ii)".

(Signed) Steve Lathrop, Chairperson
Education

LEGISLATIVE BILL 888. Placed on General File.
(Signed) Lynne Walz, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

General Affairs - LB876
General Affairs - LB1236

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR293 was adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR293.

SELECT FILE

LEGISLATIVE BILL 906. Senator Hunt offered her amendment, AM1923, found on page 570.

Senator B. Hansen offered the following motion:

MO146
Invoke cloture pursuant to Rule 7, Sec. 10.

Senator B. Hansen moved for a call of the house. The motion prevailed with 31 ayes, 0 nays, and 18 not voting.

Senator B. Hansen requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 38:

Aguilar  Day  Halloran  Linehan  Sanders
Albrecht  DeBoer  Hansen, B.  Lowe  Slama
Arch  Dorn  Hilgers  McCollister  Stinner
Bostelman  Erdman  Hilkemann  McDonnell  Wayne
Brandt  Flood  Hughes  Moser  Williams
Brewer  Friesen  Kolterman  Murman  Wishart
Briese  Geist  Lathrop  Pahls
Clements  Gragert  Lindstrom  Pansing Brooks

Voting in the negative, 3:

Blood  Cavanaugh, J.  Hunt

Present and not voting, 4:
Excused and not voting, 4:

Bostar  Morfeld  Vargas  Walz

The B. Hansen motion to invoke cloture prevailed with 38 ayes, 3 nays, 4 present and not voting, and 4 excused and not voting.

The Hunt amendment lost with 7 ayes, 28 nays, 10 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment with 36 ayes, 2 nays, 7 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

SENATOR HUGHES PRESIDING

COMMITTEE REPORT(S)

Banking, Commerce and Insurance

LEGISLATIVE BILL 1092. Placed on General File.
LEGISLATIVE BILL 1215. Placed on General File.

(Signed) Matt Williams, Chairperson

Urban Affairs

LEGISLATIVE BILL 915. Placed on General File with amendment.

LEGISLATIVE BILL 998. Placed on General File with amendment.

LEGISLATIVE BILL 1189. Placed on General File with amendment.

LEGISLATIVE BILL 1253. Placed on General File with amendment.
The Department of Economic Development shall use at least fifty percent of any money received from the federal Coronavirus Capital Projects Fund under the federal American Rescue Plan Act of 2021 for eligible projects located in qualified census tracts as defined in 26 U.S.C. 42(d)(5)(B)(ii)(I), as such section existed on January 1, 2022.

Since an emergency exists, this act takes effect when passed and approved according to law.

(Signed) Justin Wayne, Chairperson

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 592. Placed on Final Reading.

LEGISLATIVE BILL 685. Placed on Final Reading.
LEGISLATIVE BILL 708. Placed on Final Reading.
LEGISLATIVE BILL 754. Placed on Final Reading.
LEGISLATIVE BILL 758. Placed on Final Reading.
LEGISLATIVE BILL 892. Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Revenue
Room 1524 1:30 PM

Wednesday, February 23, 2022
LB1264
LB827
LB936
LB984
LB1005
LB1168

(Signed) Lou Ann Linehan, Chairperson

AMENDMENT(S) - Print in Journal

Senator Friesen filed the following amendment to LB1149:

1. Strike the original sections and insert the following new sections:
   3 Section 1. Section 60-3,191, Reissue Revised Statutes of Nebraska, is amended to read:
   6 Vehicle Registration Act, a fee for registration of each motor vehicle
7 powered by an alternative fuel shall be charged. The fee shall be
8 seventy-five dollars. The fee shall be collected by the county treasurer
9 and remitted to the State Treasurer for credit to the Highway Trust Fund.
10 (2) Beginning January 1, 2027, this section shall not apply to any
11 motor vehicle powered exclusively by electric energy.
12 Sec. 2. On or before October 1, 2025, the Department of
13 Transportation and the Department of Revenue shall jointly report to the
14 Transportation and Telecommunications Committee of the Legislature and
15 the Revenue Committee of the Legislature the recommendations and proposed
16 legislation of the departments for the purpose of administering a
17 kilowatt-hour excise tax to be assessed on electric energy used to charge
18 and power electric motor vehicles used on public highways in Nebraska.
19 Sec. 3. Nothing in Chapter 70 shall preclude or prevent any entity
20 doing business in the State of Nebraska from selling electric power at
21 retail solely for the purpose of charging electric motor vehicles. Any
22 entity engaged in the retail sale of electric power for such purpose
23 shall collect a per-kilowatt-hour excise tax on the electric energy used
24 in charging electric motor vehicles and remit such tax to the Department
25 of Revenue for credit to the Highway Trust Fund.
26 Sec. 4. Section 3 of this act becomes operative on July 1, 2026.
27 The other sections of this act become operative on their effective date.
1 Sec. 5. Original section 60-3,191, Reissue Revised Statutes of
2 Nebraska, is repealed.

SELECT FILE

LEGISLATIVE BILL 700. ER103, found on page 551, was adopted.

Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 939. Title read. Considered.

Committee AM1780, found on page 506, was offered.

Senator Linehan offered her amendment, AM1820, found on page 517, to the committee amendment.

SENATOR ARCH PRESIDING

Senator Hunt offered the following motion:

MO147
Recommit to Revenue.

SENATOR HUGHES PRESIDING

Pending.

COMMITTEE REPORT(S)

Banking, Commerce and Insurance

LEGISLATIVE BILL 707. Placed on General File with amendment. AM1859 is available in the Bill Room.
LEGISLATIVE BILL 863. Placed on General File with amendment. AM1913 is available in the Bill Room.

(Signed) Matt Williams, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:
Agriculture - LB848
Agriculture - LB805
Banking, Commerce and Insurance - LB863
Banking, Commerce and Insurance - LB707

AMENDMENT(S) - Print in Journal

Senator Geist filed the following amendment to LB450:
AM1943

(Amendments to AM1600)

1. Insert the following new sections:
2 Sec. 11. Sections 11 to 16 of this act shall be known and may be cited as the Small Business Assistance Act.
4 Sec. 12. For purposes of the Small Business Assistance Act:
5 (1) Department means the Department of Economic Development; and
6 (2) Small business means a business with five or fewer employees.
7 Sec. 13. (1) The department shall create and administer a grant program to:
8 (a) Provide grants of up to twenty-five thousand dollars to individuals looking to start a small business. An individual shall be eligible for a grant under this subdivision if the following requirements are met:
9 (i) The individual earned no more than fifty-five thousand dollars in the most recently completed calendar year;
10 (ii) The individual has a personal net worth of no more than two hundred thousand dollars, excluding the individual's primary residence; and
11 (iii) The individual does not have an ownership interest in any other business; and
20 (b) Provide grants of up to twelve thousand five hundred dollars to individuals who own a small business that has been in existence for no more than five years. An individual shall be eligible for a grant under this subdivision if the following requirements are met:
24 (i) The gross revenue of the small business has grown by no more than twenty-five percent over the most recently completed calendar year;
26 (ii) The individual has a personal net worth of no more than two hundred thousand dollars, excluding the individual's primary residence; and
3 (iii) The individual does not have an ownership interest in any other business.
5 (2) The department shall contract with a private entity to provide professional counseling services to individuals who are looking to start a small business or who have started a small business within the previous five years. Such counseling services shall be in the following areas:
9 (i) Accounting and budgeting;
10 (ii) Tax return preparation;
11 (iii) Human resources;
12 (iv) How to write a business plan;
13 (v) Payroll processes;
14 (vi) Financial planning and investments;
15 (vii) Debt management;
16 (viii) Strategic planning;
17 (ix) Technology coaching; and
18 (x) Financial statement review.

19 (3) The private entity with which the department contracts under
20 subsection (2) of this section shall not have any other contracts with
21 the state that involve the provision of services described in subsection
22 (2) of this section.
23 Sec. 14. (1) On or before October 1, 2024, and on or before October
24 1 of each even-numbered year thereafter, the department shall submit a
25 report to the Governor and the Legislature that includes, but is not
26 limited to:
27 (a) A description of the demand for grants and counseling services
28 under the Small Business Assistance Act from all geographic regions in
29 Nebraska;
30 (b) A listing of the grant recipients and the amounts of grants
31 awarded pursuant to the act in the previous two fiscal years;
1 (c) A listing of the recipients of counseling services under the act
2 in the previous two fiscal years;
3 (d) The impact of the grants provided under the act, including
4 information on:
5 (i) The number of jobs created;
6 (ii) The economic impact on the area where the grant recipient is
7 located;
8 (iii) The impact on state and local tax revenues; and
9 (iv) The types of businesses created, listed by industry.
10 (2) The report submitted to the Legislature shall be submitted
11 electronically.
12 (3) The department may require the private entity described in
13 section 13 of this act and any recipients of grants or counseling
14 services to provide periodic reports and information to enable the
15 department to fulfill the requirements of this section.
16 (4) The report shall contain no information that is protected by
17 state or federal confidentiality laws.
18 Sec. 15. The department may adopt and promulgate rules and
19 regulations to carry out the Small Business Assistance Act.
20 Sec. 16. It is the intent of the Legislature to appropriate five
21 million dollars to the department each fiscal year to carry out the Small
22 Business Assistance Act.

Senator M. Cavanaugh filed the following amendment to LB939:
AM1856 is available in the Bill Room.

Senator Brewer filed the following amendment to LB777:
AM1973
1 1. Strike original sections 2 and 3 and insert the following new
2 sections:
3 Section 1. The records of all floor debate and committee hearings as
4 prepared and permanently maintained by the Clerk of the Legislature are
5 the only official records of the Legislature.
6 Sec. 3. Section 79-1313, Reissue Revised Statutes of Nebraska, is
7 amended to read:
8 79-1313 The Nebraska Educational Telecommunications Act creates the
9 Nebraska Educational Telecommunications Commission for the purpose of (1)
10 promoting and establishing noncommercial educational telecommunications
The enabling legislation for the Nebraska Educational Television Commission is as follows:

1. Facilities within the State of Nebraska, (2) providing noncommercial educational telecommunications programs throughout the State of Nebraska.
2. By digital broadcast, by closed-circuit transmission, by Internet-based delivery, or by other telecommunications technology distribution systems.
3. Operating statewide educational and public radio and television facilities; facilities, and services.
4. Developing and maintaining a publicly accessible, indexed, digital Internet archive of Nebraska television.
5. Coordinating video coverage as provided in section 79-1316. The commission shall seek funding from federal, state, foundation, and private sources for capital construction and annual operations.
6. Sec. 4. Section 79-1316, Reissue Revised Statutes of Nebraska, is amended to read:
23. The powers and duties of the Nebraska Educational Telecommunications Commission are.
24. (1) To promote and sponsor a noncommercial educational television network to serve a series of interconnecting units throughout the State of Nebraska;
25. (2) To promote and support locally operated or state-operated noncommercial educational radio stations with satellite receiving capabilities and improved transmitter coverage;
26. (3) To apply for and to receive and hold such authorizations, licenses, and assignments of channels from the Federal Communications Commission as may be necessary to conduct such educational telecommunication programs by standard radio and television broadcast or by other telecommunications technology broadcast systems and to prepare, file, and prosecute before the Federal Communications Commission all applications, reports, or other documents or requests for authorization of any kind necessary or appropriate to achieve the purposes set forth in the Nebraska Educational Telecommunications Act;
27. (4) To receive gifts and contributions from public and private sources to be expended in providing educational telecommunications facilities and programs;
28. (5) To acquire real estate and other property as an agency of the State of Nebraska and to hold and use the same for educational telecommunications purposes;
29. (6) To contract for the construction, repair, maintenance, and operation of telecommunications facilities;
30. (7) To contract with common carriers, qualified under the laws of the State of Nebraska, to provide interconnecting channels or satellite facilities in support of radio, television, and other telecommunications technology services unless it is first determined by the Nebraska Educational Telecommunications Commission that state-owned interconnecting channels can be constructed and operated that would furnish a comparable quality of service at a cost to the state that would be less than if such channels were provided by qualified common carriers;
31. (8) To provide for programming for the visually impaired, other print-handicapped persons, and the deaf and hard of hearing as authorized by the Federal Communications Commission under subsidiary communications authority rules, through contracts with appropriate nonprofit corporations or organizations which have been created for such purpose;
32. (9) To arrange for the operation of statewide educational telecommunications networks, as directed by the Nebraska Educational Telecommunications Commission, consistent with the provisions of the federal Communications Act of 1934, as amended, and applicable rules and regulations, with policies of the Federal Communications Commission, in cooperation with the State Board of Education insofar as elementary and secondary education programs are concerned, and in cooperation with the Coordinating Commission for Postsecondary Education insofar as postsecondary education programs are concerned;
33. (10) After taking into consideration the needs of the entire state,
13 to establish and maintain general policies relating to the nature and
14 character of educational telecommunications broadcasts or transmissions;
15 (11) To review, or cause to be reviewed by a person designated by
16 the commission, all programs presented on the network prior to broadcast
17 or transmission to insure that the programs are suitable for viewing and
18 listening. Such suitability shall be determined by evaluating the content
19 of the program, and screening the programs if necessary, as to their
20 educational value and whether they enhance the cultural appreciation of
21 the viewer and listener and do not appeal to his or her prurient
22 interest. When it is obvious from an examination of the descriptive
23 program materials that a program is suitable for presenting on the
24 network, no further review shall be required;
25 (12) To cooperate with federal or state agencies for the purpose of
26 obtaining matching federal or state funds and providing educational
27 telecommunications facilities of all types throughout the state and to
28 make such reports as may be required of recipients of matching funds;
29 (13) To arrange for and provide digital radio and television
30 broadcast and other telecommunications technology transmissions of
31 noncommercial educational telecommunications programs to Nebraska
32 citizens and institutions, but no tax funds shall be used for program
33 advertising which may only be financed out of funds received from
34 foundations or individual gifts;
35 (14) To coordinate with Nebraska agencies that deal with
36 telecommunications activities and are supported in whole or in part by
37 public funds;
38 (15) To adopt bylaws for the conduct of its affairs;
39 (16) To make certain that the facilities are not used for any
40 purpose which is contrary to the United States Constitution or the
41 Constitution of Nebraska or for broadcasting propaganda or attempting to
42 influence legislation;
43 (17) To publish such informational material as it deems necessary
44 and it may, at its discretion, charge appropriate fees therefor. The
45 proceeds of all such fees shall be remitted to the State Treasurer for
46 credit to the State Educational Telecommunications Fund and shall be used
47 by the commission solely for publishing such informational material. The
48 commission shall provide to newspapers, radio stations, and other news
49 media program schedules informing the public of programs approved by the
50 commission.
51 (18) To maintain a digital archive of programs and educational
52 content containing stories, events, individuals, and performances which
53 are significant or prominent in Nebraska history;
54 (19) To develop and maintain a publicly accessible, indexed, digital
55 Internet archive of Nebraska Legislature video coverage, including all
56 floor debate and public committee hearings, beginning with the coverage
57 of the One Hundred Eighth Legislature in January of 2023. All previous
58 applicable historical video coverage of the Nebraska Legislature shall be
59 collected and added to the digital archive as available. As provided in
60 section 1 of this act, the records of all floor debate and committee
61 hearings as prepared and permanently maintained by the Clerk of the
62 Legislature are the only official records of the Legislature, and such
63 archive is intended solely for educational and informational purposes and
64 to enhance access for the public in keeping with the Legislature’s
65 commitment to transparency in state government. The commission may
66 determine and utilize the best formatting and file management methods for
67 such digital archive.
68 Sec. 7. The Revisor of Statutes shall assign section 1 of this act
69 to Chapter 50.
82. Renumber the remaining sections and correct internal references
9 accordingly.
VISITOR(S)

Visitors to the Chamber were Leadership Beatrice; Nebraska Early Childhood Policy Leadership Academy, Omaha; and Leadership York.

The Doctor of the Day was Dr. Jason Bespalec of Geneva.

ADJOURNMENT

At 11:59 a.m., on a motion by Senator M. Cavanaugh the Legislature adjourned until 9:00 a.m., Thursday, February 17, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
TWENTY-EIGHTH DAY - FEBRUARY 17, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

TWENTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, February 17, 2022

PRAYER

The prayer was offered by Pastor Nathan Metzger, American Lutheran Church of Adams, Adams.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Sanders.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Hughes presiding.

The roll was called and all members were present except Senators Walz and Wishart who were excused; and Senators Bostar, M. Cavanaugh, Day, B. Hansen, Hunt, Morfeld, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 582, line 26, strike "AM" and insert "ER".
The Journal for the twenty-seventh day was approved as corrected.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 16, 2022, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Christensen, Graham
GC Resolve, LLC
Humphrey, Hailey
Nebraska Association of Service Providers
Jensen Rogert Associates, Inc.
All Lines Interlocal Cooperative Aggregate Pool (ALICAP)
Karbo, Michael
American Petroleum Institute
Kelley Plucker, LLC
City of Omaha
Lindahl, Leah
Healthcare Distribution Alliance
McDonald, Edison
GC Resolve, LLC
Nebraska Strategies
Western Irrigation District
Schrag, Wendy
Fresenius Medical Care North America
Thomas, Laura
GC Resolve, LLC

REPORTS

Agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website.

ANNOUNCEMENT(S)

Priority designation(s) received:

Health and Human Services - LB752
Health and Human Services - LB1173

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 767. Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

COMMITTEE REPORT(S)

Agriculture

LEGISLATIVE BILL 744. Placed on General File with amendment.

AM1932
1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 54-199, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 54-199 (1) To record a brand, a person shall forward to the Nebraska
6 Brand Committee a facsimile or description of the brand desired to be
7 recorded, a written application, and a recording fee and research fee
8 established by the brand committee. Such recording fee may vary according
9 to the number of locations and methods of brand requested but shall not
10 be more than one hundred fifty dollars per application. Such research fee
11 shall be charged on all applications and shall not be more than fifty
12 dollars per application.
13 (2) For recording of visual brands, upon receipt of a facsimile of
14 the brand, an application, and the required fee, the brand committee
15 shall determine compliance with the following requirements:
16 (a) The brand shall be an identification mark that is applied to the
17 hide of a live animal by hot iron branding or by either hot iron branding
18 or freeze branding. The brand shall be on either side of the animal in
19 any one of three locations, the shoulder, ribs, or hip;
20 (b) The brand is not recorded under the name of any other person and
21 does not conflict with or closely resemble a prior recorded brand;
22 (c) The brand application specifies the left or right side of the
23 animal and the location on that side of the animal where the brand is to
24 be placed;
25 (d) The brand is not recorded as a trade name nor as the name of any
26 profit or nonprofit corporation, unless such trade name or corporation is
27 of record, in current good standing, with the Secretary of State; and
1 (e) The brand is, in the judgment of the brand committee, legible,
2 adequate, and of such a nature that the brand when applied can be
3 properly read and identified by employees of the brand committee.
4 (3) All visual brands shall be recorded as a hot iron brand only
5 unless a co-recording as a freeze brand or other approved method of
6 branding is requested by the applicant. The brand committee shall approve
7 co-recording a brand as a freeze brand unless the brand would not be
8 distinguishable from in-herd identification applied by freeze branding.
9 (4) If the facsimile, the description, or the application does not
10 comply with the requirements of this section, the brand committee shall
11 not record such brand as requested but shall return the recording fee to
12 the recording person. The power of examination and rejection is vested
13 in the brand committee, and if the brand committee determines that the
14 application for a visual brand falls within the category set out in
15 subdivision (2)(e) of this section, it shall decide whether or not a
16 recorded brand shall be issued. The brand committee shall make such
17 examination as promptly as possible. If the brand is recorded, the
18 ownership vests from the date of filing of the application.
19 (5) The brand committee may by rule and regulation provide for the
20 use of approved nonvisual identifiers for purposes of enrolling cattle
21 identified by such method of livestock identification. Such method of
22 livestock identification shall be approved only if it functions as
23 satisfactory evidence of ownership for the purpose of enrollment of
24 cattle and for electronic inspection authorized under section 54-1,108.
25 Before approving any nonvisual identifier, the brand committee shall
26 consider the degree to which such method may be susceptible to error,
27 failure, or fraudulent alteration. Any rule or regulation shall be
28 adopted and promulgated only after public hearing conducted in compliance
29 with the Administrative Procedure Act.
30 (6) Any information that a person provides to the brand committee
31 for the purpose of inspection is not a public record subject to
1 disclosure under sections 84-712 to 84-712.09.
2 Sec. 2. Original section 54-199, Reissue Revised Statutes of
3 Nebraska, is repealed.
4 Sec. 3. Since an emergency exists, this act takes effect when
5 passed and approved according to law.

LEGISLATIVE RESOLUTION 284. Reported to the Legislature for
further consideration.
GENERAL FILE

LEGISLATIVE BILL 939. The Hunt motion, MO147, found on page 582, to recommit to Revenue, was renewed.

PRESIDENT FOLEY PRESIDING

Pending.

COMMITTEE REPORT(S)

General Affairs

LEGISLATIVE BILL 866. Placed on General File.

(Signed) Tom Briese, Chairperson

Health and Human Services

LEGISLATIVE BILL 752. Placed on General File with amendment. AM1918 is available in the Bill Room.

LEGISLATIVE BILL 901. Placed on General File with amendment. AM1748

1. On page 2, lines 16 and 17, strike ", upon request"; in lines 19
2 and 25 strike "shall" and insert "may"; and in line 26 strike "in basic
3 form"
4. On page 3, line 3, strike "shall" and insert "may"; and in lines
5 and 5 strike "Such audiology appointment shall take place within
6 twenty-one days after the newborn infant's birth."

LEGISLATIVE BILL 1173. Placed on General File with amendment. AM1959 is available in the Bill Room.

(Signed) John Arch, Chairperson

COMMITTEE REPORT(S)

Natural Resources

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Scott L. Cassels - Nebraska Game and Parks Commission

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Scott B. McPheeters - Nebraska Ethanol Board
Taylor D. Nelson - Nebraska Ethanol Board


(Signed) Bruce Bostelman, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Friesen filed the following amendment to LB344:

**AM1880**

1. Strike amendment 1 and insert the following new amendment:
2. 1. Strike the original sections and all amendments thereto and
3. insert the following new sections:
4. Section 1. Section 76-2325, Revised Statutes Cumulative Supplement,
5. 2020, is amended to read:
6. 76-2325 (1)(a)(i) When the State Fire Marshal has reason to believe
7. that any person has committed any violation described in subsection (2)
8. of this section, the State Fire Marshal shall give notice of
9. investigation to such person and perform an investigation to determine
10. the nature and extent, if any, of such alleged violation.
11. (i) When any person other than the State Fire Marshal has reason to
12. believe that any violation described in subsection (2) of this section
13. has occurred, such person may submit information to the State Fire
14. Marshal regarding such violation on a form prescribed by the State Fire
15. Marshall. Upon receipt of such information, the State Fire Marshal shall
16. determine whether such information requires investigation, and if the
17. State Fire Marshal has reason to believe an investigation is warranted,
18. the State Fire Marshal shall give notice of investigation to the person
19. being investigated and perform an investigation to determine the nature
20. and extent, if any, of such alleged violation.
21. (b) If after investigation the State Fire Marshal finds that such
22. person has committed any violation as described in subsection (2) of this
23. section, the State Fire Marshal shall issue a written determination
24. stating findings of fact, conclusions of law, and the civil penalty, if
25. any, to be assessed for such violation and serve a copy of the written
26. determination by personal service or by certified mail, return receipt
27. requested, upon such person. If the State Fire Marshal’s investigation
28. was commenced based on information provided pursuant to subdivision (1)
29. (a)(ii) of this section, a copy of the written determination shall also
30. be delivered by regular mail to the person providing such information.
31. (c) Not later than thirty days after the date of the written
32. determination, any party may submit a written request for hearing on the
33. matter. The State Fire Marshal shall then appoint a hearing officer to
34. conduct such hearing and set a hearing date and provide written notice of
35. hearing to the parties at least thirty days prior to the date of the
36. hearing. Such notice shall contain the name, address, and telephone
37. number of the hearing officer, a copy of the written determination upon
38. which the hearing shall be held, and the date, time, and place of
39. hearing. The notice of hearing may be made by personal service or by
40. certified mail. If no hearing is requested in answer to the written
determination by the person found to have committed any violation as
described in subsection (2) of this section, such person shall pay any
civil penalty assessed within thirty days after receipt of the written
determination.
(d) In the preparation and conduct of the hearing, the hearing
officer shall have the power, on the hearing officer's own motion or upon
the request of any party, to compel the attendance of any witness and the
production of any documents by subpoena to ensure a fair hearing. The
hearing officer may administer oaths and examine witnesses and receive
an evidence pertinent to the determination of the matter. Any witnesses
so subpoenaed shall be entitled to the same fees as prescribed by law in
judicial proceedings in the district court of this state in a civil
action and mileage at the same rate provided in section 81-1176 for state
employees.
(1) Any party may appear at the hearing with or without the
assistance of counsel to present testimony, examine witnesses, and offer
evidence. At the discretion of the hearing officer, other interested
parties may be allowed to intervene and present testimony and offer
evidence in person or by counsel. A stenographic record of all testimony
and other evidence received at the hearing shall be made and preserved
pending final disposition of the matter.
(2) Unless all requests for hearing are withdrawn, following the
hearing the hearing officer shall prepare written findings of fact and
conclusions of law, and based on such findings of fact and conclusions of
law the State Fire Marshal shall affirm, modify, or reverse the written
determination issued under subdivision (1)(b) of this section and issue a
final order. The State Fire Marshal's final order may include an
assessment of costs incurred in conducting the hearing, including the
costs of the hearing officer and compelling the attendance of witnesses
and other party(s) against the parties. Any party aggrieved by the
final order of the State Fire Marshal may appeal the decision and such
appeal shall be in accordance with the Administrative Procedure Act.
(2) Except as provided in subsection (3) of this section, any
person who violates section 76-2320, 76-2320.01, 76-2320.02, 76-2321,
76-2322, 76-2323, 76-2326, 76-2330, or 76-2331 or any rule or regulation
adopted and promulgated by the State Fire Marshal pursuant to section
76-2319 shall be subject to a civil penalty assessed by the State Fire
Marshal as follows:
(a) For a violation by an excavator or an operator related to a gas
or hazardous liquid underground pipeline facility or a fiber optic
telecommunications facility, an amount not to exceed ten thousand dollars
for each violation for each day the violation persists, up to a maximum
of five hundred thousand dollars; and
(b) For a violation by an excavator or an operator related to any
other underground facility, an amount not to exceed five thousand dollars
for each day the violation persists, up to a maximum of fifty thousand
30 dollars.
(3) In addition to or in lieu of assessing a civil penalty as
provided in subsection (2) of this section, the State Fire Marshal may
order that a violator take and complete continuing education regarding
compliance with the One-Call Notification System Act. Such continuing
education shall be approved by the State Fire Marshal. When imposing a
civil penalty, the State Fire Marshal shall consider the appropriateness
of such penalty in relation to the size of the excavator's or operator's
business operation, the gravity of the violation, and any good faith
attempt by the excavator or operator to achieve compliance.
(4) (2) An action to recover a civil penalty shall be brought by the
Attorney General or a prosecuting attorney on behalf of the State of
Nebraska in any court of competent jurisdiction of this state. The trial
shall be before the court, which shall consider the nature,
circumstances, and gravity of the violation and, with respect to the
person found to have committed the violation, the degree of culpability,
the absence or existence of prior violations, whether the violation was a
willful act, any good faith attempt to achieve compliance, and such other
matters as justice may require in determining the amount of penalty
imposed. All penalties shall be remitted to the State Treasurer for
distribution in accordance with Article VII, section 5, of the
Constitution of Nebraska.
(5) The State Fire Marshal shall adopt and promulgate rules and
regulations to establish rules of procedure to carry out this section.
Sec. 2. Section 81-502.03, Reissue Revised Statutes of Nebraska, is
amended to read:
81-502.03 In case of disagreement concerning the propriety of any
action taken or proposed to be taken by the State Fire Marshal or the
application of any statute, rule, or regulation of his or her office with
respect to any establishment or installation, the State Fire Marshal may,
and upon application of any party in interest, shall provide for a
hearing before the Nebraska Fire Safety Appeals Board in the county of
the establishment or installation which is the subject of the
disagreement. At least ten days' written notice shall be given to the
governing body responsible for the establishment or installation involved
and to any public official having jurisdiction. The board shall make a
decision based upon the evidence brought forth in the hearing and issue
its order accordingly. Prior to ordering any political or governmental
subdivision of the State of Nebraska to make any modification in the
design or construction of any public building or any modification in the
location, installation, or operation of any existing equipment in any
public building or to replace such equipment, the State Fire Marshal, his
or her first assistant, or one of his or her deputies shall personally
appear at a regular meeting of the governing board of such subdivision
and present a written report stating the condition of such building or
equipment and the reason why such building should be modified or such
equipment should be modified or replaced, and a copy of such report shall
be attached to the order. Nothing in this section shall prevent the State
Fire Marshal from ordering necessary repairs, and nothing in sections
81-502.01 to 81-502.03 shall prevent the State Fire Marshal, when actual
and immediate danger to life exists, from ordering and requiring the
occupants to vacate a building or structure subject to his or her
jurisdiction. This section shall not apply to any decision,
determination, or other action taken or made by the State Fire Marshal
under the One-Call Notification System Act.
Sec. 3. Original section 81-502.03, Reissue Revised Statutes of
Nebraska, and section 76-2325, Revised Statutes Cumulative Supplement,
2020, are repealed.
Sec. 4. The following section is outright repealed: Section
76-2325.02, Revised Statutes Cumulative Supplement, 2020.

UNANIMOUS CONSENT - Room Change

Senator Stinner asked unanimous consent that the Appropriations
Committee conduct its hearing on Thursday, February 17, 2022, in Room
1525 instead of Room 1003 and Natural Resources Committee to meet in
Room 1003 instead of Room 1525. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 939. The Hunt motion, MO147, found on page 582
and considered in this day's Journal, to recommit to Revenue, was renewed.
Senator Linehan moved for a call of the house. The motion prevailed with 14 ayes, 1 nay, and 34 not voting.

Senator Linehan requested a roll call vote on the Hunt motion to recommit to committee.

Voting in the affirmative, 2:

Cavanaugh, J.  Cavanaugh, M.

Voting in the negative, 39:

Aguilar  Clements  Hansen, B.  Linehan  Pansing Brooks
Albrecht  Day  Hansen, M.  Lowe  Sanders
Arch  Erdman  Hilgers  McCollister  Slama
Blood  Flood  Hilkemann  McDonnell  Stinner
Bostelman  Friesen  Hughes  McKinney  Vargas
Brandt  Geist  Kollerman  Moser  Wayne
Brewer  Gragert  Lathrop  Murman  Williams
Briese  Halloran  Lindstrom  Pahls

Present and not voting, 2:

DeBoer  Morfeld

Excused and not voting, 6:

Bostar  Groene  Walz
Dorn  Hunt  Wishart

The Hunt motion to recommit to committee failed with 2 ayes, 39 nays, 2 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Pending.

MESSAGE(S) FROM THE GOVERNOR

February 17, 2022

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Clerk O'Donnell:
Engrossed Legislative 310 was received in my office on February 11, 2022.
This bill was signed and delivered to the Secretary of State on February 17, 2022.

Sincerely,
(Signed) Pete Ricketts
Governor

ANNOUNCEMENT(S)

Priority designation(s) received:

Vargas - LB741
Urban Affairs - LB800
Urban Affairs - LB1024

NOTICE OF COMMITTEE HEARING(S)

Revenue
Room 1524 1:30 PM

Thursday, February 24, 2022
LB687
LB784
LB1020
LB1080
LB995

Friday, February 25, 2022
LB881
LB941
LB944
LB1097
LB1225
LB1209

(Signed) Lou Ann Linehan, Chairperson
Executive Board
Room 1525 12:00 PM

Thursday, February 24, 2022
LR159

(Signed) Dan Hughes, Chairperson
LEGISLATIVE JOURNAL

COMMITTEE REPORT(S)
Health and Human Services

LEGISLATIVE BILL 698. Placed on General File.
LEGISLATIVE BILL 1068. Placed on General File.

(Signed) John Arch, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 297. Introduced by McDonnell, 5.

WHEREAS, Mr. Marlin John Petermann will be remembered as a loving husband, a devoted father, and a steadfast public servant; and
WHEREAS, Mr. Petermann attended the University of Nebraska-Lincoln, where he received Bachelor of Science degrees in civil and agricultural engineering; and
WHEREAS, Mr. Petermann served as Assistant General Manager for the Papio-Missouri River Natural Resources District for almost 48 years and was regarded as an institution in flood fighting efforts to protect the public; and
WHEREAS, Mr. Petermann, his team, and various emergency management partners made critical decisions before, during, and after the 2019 flood that not only minimized the immediate destruction, but put in motion strategies that further reduced damage to vital infrastructure and communities, such as Offutt Air Force Base and the city of Bellevue; and
WHEREAS, Mr. Petermann was a father of four children and grandfather to nine grandchildren; and
WHEREAS, Mr. Petermann passed away on December 22, 2021, at the age of 72; and
WHEREAS, Mr. Petermann will be greatly missed by his family and by the many friends and colleagues to whom he made great contributions.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature honors Mr. Marlin John Petermann for his dedication to the practice of engineering, passion for natural resource management, and role in public safety.
2. That the Legislature offers its condolences to the family of Mr. Petermann.
3. That a copy of this resolution be sent to the family of Mr. Petermann.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 939. Senator Linehan withdrew her amendment, AM1820, found on page 517.
Senator Friesen offered his amendment, **AM1815**, found on page 522, to the committee amendment.

Pending.

**NOTICE OF COMMITTEE HEARING(S)**

Revenue  
Room 1524 1:30 PM

Thursday, March 3, 2022
LB979  
LB982  
LB1039  
LB1261

Wednesday, March 2, 2022
LB972  
LB1115  
LB1250

(Signed) Lou Ann Linehan, Chairperson

**COMMITTEE REPORT(S)**

General Affairs

**LEGISLATIVE BILL 840.** Placed on General File with amendment.  
**AM1915**

1. On page 2, line 3, after "25-2228" insert "(1)"; in line 21 after the period insert paragraphing and "(2)"; in line 27 after the period insert "A website posting or a failure to make such website posting under this subsection shall not affect the validity of the publication or notice published under subsection (1) of this section."

**LEGISLATIVE BILL 1204.** Placed on General File with amendment.  
**AM1894**

1. Strike original section 6 and insert the following new section:

Sec. 6. Section 53-132, Reissue Revised Statutes of Nebraska, is amended to read:

4 53-132 (1) If no hearing is required pursuant to subdivision (1)(a) or (b) of section 53-133 and the commission has no objections pursuant to subdivision (1)(c) of such section, the commission may waive the forty-five-day objection period and, if not otherwise prohibited by law, cause a retail license, bottle club license, craft brewery license, or microdistillery license to be signed by its chairperson, attested by its executive director over the seal of the commission, and issued in the manner provided in subsection (4) of this section as a matter of course.

12 (2) A retail license, bottle club license, craft brewery license, or microdistillery license may be issued to any qualified applicant if the commission finds that (a) the applicant is fit, willing, and able to properly provide the service proposed within the city, village, or county where the premises described in the application are located, (b) the applicant can conform to all provisions and requirements of and rules and regulations adopted pursuant to the Nebraska Liquor Control Act, (c) the
19 applicant has demonstrated that the type of management and control to be
20 exercised over the premises described in the application will be
21 sufficient to insure that the licensed business can conform to all
22 provisions and requirements of and rules and regulations adopted pursuant
23 to the act, and (d) the issuance of the license is or will be required by
24 the present or future public convenience and necessity.
25 (3) In making its determination pursuant to subsection (2) of this
26 section the commission shall consider:
27 (a) The recommendation of the local governing body;
28 (b) The existence of a citizens’ protest made in accordance with
29 section 53-133;
30 (c) The existing population of the city, village, or county and its
31 projected growth;
32 (d) The nature of the neighborhood or community of the location of
33 the proposed licensed premises;
34 (e) The existence or absence of other retail licenses, bottle club
35 licenses, craft brewery licenses, or microdistillery licenses with
36 similar privileges within the neighborhood or community of the location
37 of the proposed licensed premises and whether, as evidenced by
38 such, corroborative documentation, the issuance of such license
39 would result in or add to an undue concentration of licenses with similar
40 privileges and, as a result, require the use of additional law
41 enforcement resources;
42 (f) The existing motor vehicle and pedestrian traffic flow in the
43 vicinity of the proposed licensed premises;
44 (g) The adequacy of existing law enforcement;
45 (h) Zoning restrictions;
46 (i) The sanitation or sanitary conditions on or about the proposed
47 licensed premises; and
48 (j) Whether the type of business or activity proposed to be operated
49 in conjunction with the proposed license is and will be consistent with
50 the public interest.
51 (4) Retail licenses, bottle club licenses, craft brewery licenses,
52 or microdistillery licenses issued or renewed by the commission shall be
53 mailed or delivered electronically to
54 (a) The clerk of the city, village, or county who shall deliver
55 the same to the licensee upon receipt from the licensee of proof of
56 payment of (1) the license fee if by the terms of subsection (6) of
57 section 53-124 the fee is payable to the treasurer of such city, village,
58 or county, (2) any fee for publication of notice of hearing before
59 the local governing body upon the application for the license, (3) the
60 fee for publication of notice of renewal as provided in section
61 53-135.01, and (4) occupation taxes, if any, imposed by such city,
62 village, or county except as otherwise provided in subsection (4) of
63 this section; or
64 (b) The licensee, upon confirmation from the clerk of the city,
65 village, or county that the necessary fees and taxes described in
66 subdivision (4)(a) of this section have been received by the clerk of
67 such city, village, or county.
68 (5) Notwithstanding any ordinance or charter power to the contrary,
69 no city, village, or county shall impose an occupation tax on the
70 business of any person, firm, or corporation licensed under the act and
71 doing business within the corporate limits of such city or village or
72 within the boundaries of such county in any sum which exceeds two times
73 the amount of the license fee required to be paid under the act to obtain
74 such license.
75 (6) Each license shall designate the name of the licensee, the
76 place of business licensed, and the type of license issued.
77 (7) Class J retail licensees shall not be subject to occupation
78 taxes under subsection (4) of this section.
(Signed) Tom Briese, Chairperson

Revenue

LEGISLATIVE BILL 1176. Placed on General File.

(Signed) Lou Ann Linehan, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 298. Introduced by Hilgers, 21.

WHEREAS, on February 26, 2022, the NEBRASKAland Foundation will present the Distinguished NEBRASKAlander Award, recognizing Nebraskans who have distinguished themselves and the state, to Anne Burkholder at the annual Statehood Day Dinner held in the Nebraska State Capitol; and
WHEREAS, Anne has had her paintings accepted in many national and regional juried shows and won first place awards for her oil and watercolors; and
WHEREAS, Anne's works are included in many private, public, and corporate collections in the United States as well as many foreign countries, including England, Austria, Switzerland, Germany, France, Australia, Morocco, and Japan; and
WHEREAS, Anne exhibited in several galleries in the country of Colombia during 1989-1990 and as part of a cultural exchange in 1991 she was invited to Tajikistan where she had exhibitions in both Dushanbe and Khujand; and
WHEREAS, Anne's development of the Burkholder Project at 719 P Street in Lincoln has inspired other artists and entrepreneurs and, through resurrecting an old, rundown building, helped transform the Haymarket into the vibrant area it is today.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature congratulates Anne Burkholder as a recipient of the Distinguished NEBRASKAlander Award and extends its appreciation for her service to the State of Nebraska.
2. That a copy of this resolution be sent to Anne Burkholder.

Laid over.

LEGISLATIVE RESOLUTION 299. Introduced by Hilgers, 21.

WHEREAS, on February 26, 2022, the NEBRASKAland Foundation will present the Distinguished NEBRASKAlander Award, recognizing Nebraskans who have distinguished themselves and the state, to Jane Miller at the annual Statehood Day Dinner held in the Nebraska State Capitol; and
WHEREAS, Jane Miller serves as President and Chief Operating Officer of Gallup, Inc., overseeing worldwide operations at the global analytics and advice firm; and
WHEREAS, Jane is responsible for creating a high performing culture that drives customer experience, employee engagement, and financial outcomes for sustainable growth; and
WHEREAS, Jane is joined by all three of her siblings as owners and directors of the forward-thinking research, consulting, and education organization business; and
WHEREAS, over her career Jane has helped revolutionize how to think about the workplace through a strong performance orientation that emphasizes strength as the lens through which organizations can select, manage, motivate, develop, and ultimately engage employees; and
WHEREAS, Jane is particularly committed to creating strong communities that begin with strong businesses and workplaces.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature congratulates Jane Miller as a recipient of the Distinguished NEBRASKAlander Award and extends its appreciation for her service to the State of Nebraska.
2. That a copy of this resolution be sent to Jane Miller.

Laid over.

LEGISLATIVE RESOLUTION 300. Introduced by Hilgers, 21.

WHEREAS, on February 26, 2022, the NEBRASKAland Foundation will present the Distinguished NEBRASKAlander Award, recognizing Nebraskans who have distinguished themselves and the state, to Homer and Darla Buell at the annual Statehood Day Dinner held in the Nebraska State Capitol; and
WHEREAS, Homer and Darla Buell's partnership began with their marriage in 1971, the same year they returned to the family ranch, the Shovel Dot, south of Bassett, Nebraska; and
WHEREAS, the Shovel Dot, which was established in 1882, has always been a multi-enterprise ranch maintaining a cow-calf operation, backgrounding calves and yearling cattle, raising hay and other crops, and operating a seedstock division; and
WHEREAS, both Homer and Darla have been active in the Nebraska Hereford Association, with Homer serving as President of the organization and Darla serving as President of the Hereford Women of Nebraska group. Their experience in these positions led to Homer assuming leadership at a national level in the American Hereford Association; and
WHEREAS, Homer and Darla have worked closely with and supported the University of Nebraska. They have been very involved in the university's Institute for Agriculture and Natural Resources.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE
ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND
SESSION:
1. That the Legislature congratulates Homer and Darla Buell as recipients
of the Distinguished NEBRASKAlander Award and extends its appreciation
for their service to the State of Nebraska.
2. That a copy of this resolution be sent to Homer and Darla Buell.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 939. Senator Friesen renewed his amendment,
AM1815, found on page 522 and considered in this day's Journal, to the
committee amendment.

Senator Friesen withdrew his amendment.

Senator Friesen offered his amendment, AM1818, found on page 522, to the
committee amendment.

Senator Friesen withdrew his amendment.

Senator M. Hansen offered his amendment, AM1869, found on page 537, to the
committee amendment.

Pending.

ANNOUNCEMENT(S)

Priority designation(s) received:

Appropriations - LB340
State-Tribal Relations - LB872

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 864. Placed on General File.

LEGISLATIVE BILL 1116. Placed on General File with amendment.
AM1970
1 1. On page 3, strike lines 4 through 6 and insert the following new
2 subdivision:
3 "(a) Twenty-five percent of the funds requested if the applicant's
4 principal residence or principal place of business is located in an
5 economic redevelopment area within a city of the metropolitan class; or".

(Signed) Lou Ann Linehan, Chairperson
UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Vargas name added to LB779.
Senator Brewer name added to LB906.
Senator M. Hansen name added to LB930.
Senator M. Hansen name added to LB935.
Senator Flood name added to LB964.
Senator Groene name added to LB1015.
Senator Murman name added to LB1074.
Senator Slama name added to LB1086.
Senator M. Hansen name added to LB1137.
Senator Blood name added to LB1233.
Senator Flood name added to LB1273.
Senator Murman name added to LR284.
Senator Gragert name added to LR284.
Senator Pahls name added to LR296.

VISITOR(S)

Visitors to the Chamber were members of the Nebraska State Bar Association Leadership Academy from across the state.

The Doctor of the Day was Dr. Joe Miller of Omaha.

ADJOURNMENT

At 11:59 a.m., on a motion by Senator Murman, the Legislature adjourned until 10:00 a.m., Tuesday, February 22, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
TWENTY-NINTH DAY - FEBRUARY 22, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

TWENTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 22, 2022

PRAYER

The prayer was offered by Pastor Wilson Metz, Word of Hope Lutheran Church, Ashland.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator Wishart who was excused; and Senators Bostar, Day, DeBoer, Morfeld, Walz, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-eighth day was approved.

RESIGNATION

February 20, 2022

Governor Ricketts,

I write to notify you that I resign the office of State Senator for the 42nd Legislative District effective at 11:59 p.m. Monday, February 21, 2022.

Sincerely,
(Signed) Michael Groene
Senator Mike Groene  
District 42  
State Capitol  
Lincoln, NE 68509

Dear Senator Groene,

Pursuant to Nebraska Revised Statutes §32-562, I hereby acknowledge receipt of your February 20, 2022 letter resigning your seat as a member of the Nebraska Unicameral Legislature representing Legislative District 42, effective February 21, 2022 at 11:59 p.m.

Sincerely,

(Signed) Mike Hilgers  
Speaker

cc: Patrick J. O'Donnell, Clerk of the Nebraska Legislature  
Pete Ricketts, Governor of the State of Nebraska

enc

**COMMITTEE REPORT(S)**  
Judiciary

**LEGISLATIVE BILL 1184.** Placed on General File with amendment.  
AM1962

1. Strike original section 1 and insert the following new section:
2. Section 1. Section 81-2009, Reissue Revised Statutes of Nebraska, is amended to read:
3. 81-2009 (1) The Attorney General, or a member of his or her staff, or a practicing attorney designated by the Attorney General, shall defend all civil and criminal actions instituted against the Superintendent of Law Enforcement and Public Safety superintendent or any subordinate officer or employee of the Nebraska State Patrol arising from their employment by the patrol.
4. (2) In any instance in which the actions or omissions of an officer or employee of the patrol are the subject of an inquiry by a grand jury or prosecutor, the officer or employee of the patrol shall be defended by the Attorney General or a member of his or her staff or, in the event of a conflict of interest for the Attorney General, a private practice attorney chosen by the officer or employee of the patrol. Reasonable attorney’s fees and costs shall be paid pursuant to section 81-8,239.02.  
5. (3) The superintendent shall provide not less than three agency legal counsels stationed with the Nebraska State Patrol to assist county attorneys in the preparation of cases involving drug abuse and to advise the patrol on all legal matters. Agency counsel shall not represent individual officers or employees of the patrol whose actions or omissions are the subject of inquiry by a grand jury or prosecutor. Agency counsel may advise officers or employees of the patrol who are serving as
investigators for a grand jury or a prosecutor.

(Signed) Steve Lathrop, Chairperson

Agriculture

LEGISLATIVE BILL 802. Placed on General File.

LEGISLATIVE BILL 235. Placed on General File with amendment.

AM799
1. Strike the original sections and insert the following new sections:

2. Section 1. Section 54-1901, Reissue Revised Statutes of Nebraska, is amended to read:
   3. 54-1901 Sections 54-1901 to 54-1915 and section 2 of this act may be cited as the Nebraska Meat and Poultry Inspection Law.

4. Sec. 2. (1) It is the intent of the Legislature to appropriate one million dollars each fiscal year from the General Fund for fiscal years 2022-23 and 2023-24 to the department for purposes of a pilot program for establishing a cooperative state inspection program under 21 U.S.C. 661, and 21 U.S.C. 454, as such sections existed on January 1, 2021. The unexpended and unobligated balance of the funds appropriated for the pilot program shall lapse to the General Fund at the end of each fiscal year.
   (2) For purposes of the pilot program, the administrator shall be a licensed veterinarian employed by the department. The department shall provide staff support for the administrator. The administrator shall provide for certification of inspectors for the pilot program, including a program of instruction, an examination, and fees. In order to be eligible to be certified as an inspector for the pilot program, an individual shall be a licensed veterinarian who has experience with large animals.
   (3) Up to ten licensed establishments may participate in the pilot program. A licensed establishment which chooses to participate in the pilot program shall contract with one or more certified inspectors for inspections under the pilot program. A certified inspector contracting with a licensed establishment shall not be considered an employee, official, or agent of the department.
   (4) The department may adopt and promulgate rules and regulations for the pilot program.

5. Sec. 3. Original section 54-1901, Reissue Revised Statutes of Nebraska, is repealed.

(Signed) Steve Halloran, Chairperson

Judiciary

The Judiciary Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Gerald Randall (Rand) Hansen - Crime Victim's Reparations Committee
Nay: 0. Absent: 0. Present and not voting: 1. McKinney.

(Signed) Steve Lathrop, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:
Natural Resources - LB1045
Natural Resources - LB809
Cavanaugh, J. - LB921
Day - LB853
Hilkemann - LB981
Flood - LB927
Government, Military and Veterans Affairs - LB843
Government, Military and Veterans Affairs - LR268CA
Pahls - LB833

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR296 was adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business,
the President signed the following: LR296.

MOTION(S) - Confirmation Report(s)

Senator Walz moved the adoption of the Education Committee report for the
confirmation of the following appointment(s) found on page 569:
  Coordinating Commission for Postsecondary Education
    Dennis A. Headrick

Senator M. Cavanaugh offered the following motion:
Recommit to Education Committee.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed
with 14 ayes, 6 nays, and 28 not voting.

Senator M. Cavanaugh withdrew her motion to recommit to committee.

Voting in the affirmative, 42:
Aguilar  Cavanaugh, J.  Halloran  Lindstrom  Slama
Albrecht  Clements  Hansen, B.  Linehan  Stinner
Arch  Day  Hansen, M.  McDonnell  Vargas
Blood  DeBoer  Hilgers  Morfeld  Walz
Bostar  Dorn  Hilkemann  Moser  Wayne
Bostelman  Flood  Hughes  Murman  Williams
Brandt  Friesen  Hunt  Pahls
Brewer  Geist  Kolterman  Pansing Brooks
Briese  Gragert  Lathrop  Sanders

Voting in the negative, 0.

Present and not voting, 5:
Cavanaugh, M.  Lowe  McKinney
Erdman  McCollister

Excused and not voting, 1:
Wishart

The appointment was confirmed with 42 ayes, 0 nays, 5 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

**COMMITTEE REPORT(S)**
Government, Military and Veterans Affairs

**LEGISLATIVE BILL 964.** Placed on General File.

**LEGISLATIVE BILL 1165.** Placed on General File.

**LEGISLATIVE BILL 908.** Placed on General File with amendment.

**AM1950**

1 1. On page 6, line 21, strike "A" and insert "In addition to any
2 other statutory authorization for virtual conferencing, any" and after
3 "body" insert "not listed in subdivision (2)(a) of this section".

(Signed)  Tom Brewer, Chairperson
Urban Affairs

**LEGISLATIVE BILL 724.** Placed on General File.

**LEGISLATIVE BILL 799.** Placed on General File.

**LEGISLATIVE BILL 1024.** Placed on General File with amendment.

**AM1920**

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Sections 1 to 6 of this act shall be known and may be cited as the Economic Recovery Act.
4 Sec. 2. The Legislature finds that:
5 (1) The COVID-19 public health emergency has caused widespread economic, social, and public health-related turmoil that deepened existing disparities;
6 (2) The social and economic challenges caused and exacerbated by the COVID-19 public health emergency include high unemployment, wage decreases, increased homelessness, and food insecurity;
7 (3) The impact of the COVID-19 public health emergency and related challenges were disproportionately felt in low-income and minority communities such as North Omaha and South Omaha;
8 (4) The social and economic challenges in North Omaha and South Omaha have persisted for multiple generations, partially fueled by past racial segregation and the historical practice known as redlining;
9 (5) Funding under the federal American Rescue Plan Act of 2021 presents a once-in-a-lifetime opportunity to respond to the challenges facing North Omaha and South Omaha that have been worsened by the COVID-19 public health emergency, and
10 Federal guidance issued by the United States Department of the Treasury has identified qualified census tracts as areas in which certain activities and investments will be deemed presumptively eligible for the use of funds under the federal American Rescue Plan Act of 2021.
11 Sec. 3. For purposes of the Economic Recovery Act, qualified census tract means a qualified census tract as defined in 26 U.S.C. 42(d)(5)(B)(ii)(I), as such section existed on January 1, 2022.
12 Sec. 4. (1) The primary responsibility of the Economic Recovery Division of the Department of Economic Development shall be to utilize federal funding to award grants as provided in this section. The division shall, with the assistance of the Economic Recovery Advisory Committee, develop a coordinated plan and a grant application and scoring process to award grants under the Economic Recovery Act.
13 (2) The coordinated plan developed pursuant to this section shall prioritize the use of grants toward the economic recovery of those communities and neighborhoods within qualified census tracts located within the boundaries of a city of the metropolitan class that were disproportionately impacted by the COVID-19 public health emergency and related challenges, with an emphasis on housing needs, job training, and business development within such communities and neighborhoods. Not later than January 1, 2023, the Economic Recovery Division shall submit a copy of such coordinated plan to the Urban Affairs Committee of the Legislature.
14 (3) All grants made by the Economic Recovery Division shall meet the eligibility requirements under the federal American Rescue Plan Act of 2021 and any relevant guidance on the use of such funds by the United States Department of the Treasury.
15 Sec. 5. (1) The Economic Recovery Advisory Committee is created. The committee shall assist the Economic Recovery Division of the Department of Economic Development in developing a coordinated plan for the use of grant funds awarded under the Economic Recovery Act.
16 (2) The committee members shall include:
17 (a) The Director of Economic Development or the director's designee;
18 (b) A representative of a chamber of commerce for a city of the metropolitan class, who shall be appointed by the Governor and confirmed by the Legislature; and
19 (c) A community member representing communities and neighborhoods within qualified census tracts located within the boundaries of a city of the metropolitan class that were disproportionately impacted by the COVID-19 public health emergency, who shall be appointed by the Governor and confirmed by the Legislature.
5 (3) In addition to the members listed in subsection (2) of this section, the committee shall also include two members of the Legislature representing legislative districts containing one or more qualified census tracts located within the boundaries of a city of the metropolitan class. Such members shall be appointed by the chairperson of the Executive Board of the Legislative Council and serve as non-voting, ex officio members of the committee.

12 Sec. 6. It is the intent of the Legislature to appropriate four hundred fifty million dollars from federal funds for FY2022-23 to the Economic Recovery Division of the Department of Economic Development to carry out the Economic Recovery Act. The federal funds appropriated in this section shall be from the funds allocated to the State of Nebraska from the federal Coronavirus State Fiscal Recovery Fund pursuant to the federal American Rescue Plan Act of 2021, Public Law 117-2, Subtitle M, Sec. 9901.

20 Sec. 7. Section 81-1201.07, Reissue Revised Statutes of Nebraska, is amended to read:

22 81-1201.07 The department may have the divisions and program listed in this section to aid in the discharge of its duties but shall not be limited to such divisions and program:
23 (1) An Existing Business Assistance Division; (2) a Business Recruitment Division; (3) a Community Development Division; (4) an Economic Development Division; and (5) a Community Development Block Grant Program. Each division and program, when deemed appropriate by the director, is encouraged to establish advisory committees and programs to insure public participation and input.

31 Sec. 8. Original section 81-1201.07, Reissue Revised Statutes of Nebraska, is repealed.

2 Sec. 9. Since an emergency exists, this act takes effect when passed and approved according to law.

LEGISLATIVE BILL 1065. Placed on General File with amendment.

AM1964

1. Insert the following new section:

2 Sec. 2. Section 18-2109, Revised Statutes Cumulative Supplement, 2020, is amended to read:

4 18-2109 (1) A redevelopment plan for a redevelopment project area shall not be prepared and the governing body of the city in which such area is located shall not approve a redevelopment plan unless the governing body has, by resolution adopted after the public hearings required under this section, declared such area to be a substandard and blighted area in need of redevelopment.

10 (2) Prior to making such declaration, the governing body of the city shall conduct or cause to be conducted a study or an analysis on whether the area is substandard and blighted and shall submit the question of whether such area is substandard and blighted to the planning commission or board of the city for its review and recommendation. The planning commission or board shall hold a public hearing on the question after giving notice of the hearing as provided in section 18-2115.01. The planning commission or board shall submit its written recommendations to the governing body of the city within thirty days after the public hearing.

20 (3) Upon receipt of the recommendations of the planning commission or board, or if no recommendations are received within thirty days after the public hearing required under subsection (2) of this section, the governing body shall hold a public hearing on the question of whether the area is substandard and blighted after giving notice of the hearing as provided in section 18-2115.01. At the public hearing, all interested parties shall be afforded a reasonable opportunity to express their views respecting the proposed declaration. After such hearing, the governing
1 body of the city may declare such area or any portion of such area to be
2 a substandard and blighted area make its declaration.
3 (4) Copies of each substandard and blighted study or analysis
4 conducted pursuant to subsection (2) of this section shall be posted on
5 the city's public website or made available for public inspection at a
6 location designated by the city.
7 2. On page 7, line 10, strike the new matter and reinstate the
8 stricken matter and after "million" insert "five hundred thousand"; and
9 in line 12 strike the new matter and reinstate the stricken matter.
10 3. Renumber the remaining sections and correct the repealer
11 accordingly.

LEGISLATIVE BILL 1073. Placed on General File with amendment.
AM1969
1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. The Governor shall apply for all federal funds available
4 to this state for emergency rental assistance under section 3201 of the
5 federal American Rescue Plan Act of 2021, Public Law 117-2, and shall
6 disburse any such funds received under such section. The Governor may
7 coordinate with other governmental entities to establish eligibility
8 guidelines for recipients of such funds.
9 Sec. 2. Since an emergency exists, this act takes effect when
10 passed and approved according to law.

(Signed) Justin Wayne, Chairperson

Education

LEGISLATIVE BILL 1112. Placed on General File with amendment.
AM1942
1 1. Strike original sections 4 and 6 and insert the following new
2 sections:
3 Sec. 4. Beginning with school year 2024-25, each school district,
4 in consultation with the State Department of Education, shall include
5 computer science and technology education in the instructional program of
6 its elementary and middle schools, as appropriate, and require each
7 student attending a public school to complete at least one five-credit
8 high school course in computer science and technology prior to
9 graduation. Such computer science and technology education course offered
10 by a school district may be made available in a traditional classroom
11 setting, a blended-learning environment, or an online-based or other
12 technology-based format that is tailored to meet the need of each
13 participating student.
14 Sec. 6. Section 79-729, Revised Statutes Supplement, 2021, is
15 amended to read:
16 79-729 The Legislature recognizes the importance of assuring that
17 all persons who graduate from Nebraska high schools possess certain
18 minimum levels of knowledge, skills, and understanding. Each high school
19 student shall complete a minimum of two hundred high school credit hours
20 prior to graduation. At least eighty percent of the minimum credit hours
21 shall be core curriculum courses prescribed by the State Board of
22 Education. For students attending a public school, beginning in
23 school year 2023-24, at least five of the minimum credit hours shall be a
24 high school course in personal finance or financial literacy, and
25 beginning in school year 2024-25, at least five of the minimum credit
26 hours shall be a high school course in computer science and technology.
27 The State Board of Education may establish recommended statewide
graduation guidelines. This section does not apply to high school
students whose individualized education programs prescribe a different
course of instruction. This section does not prohibit the governing board
of any high school from prescribing specific graduation guidelines as
long as such guidelines do not conflict with this section. For purposes
of this section, high school means grades nine through twelve and credit
hour shall be defined by appropriate rules and regulations of the State
Board of Education but shall not be less than the amount of credit given
for successful completion of a course which meets at least one period per
10 week for at least one semester.

11 Sec. 8. Section 79-3003, Revised Statutes Supplement, 2021, is
amended to read:

79-3003 Beginning with school year 2023-24, each school district, in
consultation with the State Department of Education, shall include
financial literacy instruction, as appropriate, in the instructional
program of its elementary and middle schools and require each student
attending a public school to complete at least one five-credit high
school course in personal finance or financial literacy prior to
graduation.

2. On page 4, strike beginning with "or" in line 2 through
"standards" in line 3 and insert ", science, or career and technical
education standards".

3. Renumber the remaining section and correct the repealer
accordingly.

(Signed) Lynne Walz, Chairperson

Natural Resources

The Natural Resources Committee desires to report favorably upon the
appointment(s) listed below. The Committee suggests the appointment(s) be
confirmed by the Legislature and suggests a record vote.

Bridget Troxel Peck - Nebraska Power Review Board

Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Bruce Bostelman, Chairperson

AMENDMENT(S) - Print in Journal

Senator Friesen filed the following amendment to LB1147:

AM1997

1. Insert the following new section:
2 Sec. 3. Since an emergency exists, this act takes effect when
3 passed and approved according to law.

Senator B. Hansen filed the following amendment to LB567:

AM1958

(Amendments to E & R amendments, ER107)

1. On page 2, line 31, strike "October 1,", show as stricken, and
2 insert "the effective date of this act".
3. On page 3, line 1, strike the new matter.
4. On page 4, line 5, strike "October 1, 2021" and insert "the
5 effective date of this act".
RESOLUTION(S)

LEGISLATIVE RESOLUTION 301. Introduced by Gragert, 40.

WHEREAS, Daniel "Dan" J. Gillespie was born on October 30, 1954, in Norfolk, Nebraska, to Leo and Martha (Kubes) Gillespie; and
WHEREAS, Dan operated a family farm near Battle Creek, Nebraska and received several awards and honors for his soil health practices; and
WHEREAS, Dan "The Tree Man" positively influenced hundreds of Battle Creek students while educating them about trees and other plant life; and
WHEREAS, Dan was employed by the Natural Resources Conservation Service for thirty years and served as a No-Till Specialist; and
WHEREAS, Dan helped develop the Lower Elkhorn Natural Resources District's No-Till Incentive Program that received a No-Till Innovator Award at the 2004 National No-Tillage Conference; and
WHEREAS, in 2019, Dan was awarded the Master Conservationist Award in recognition of his lifelong leadership and achievements in managing and conserving Nebraska's water and soil; and
WHEREAS, Dan had five children, Amber, Brooke, Cassidy, Chloe, and Cora and five grandchildren, Bennett, Zavannah, Hollis, Everleigh, and Noah; and
WHEREAS, Dan passed away on Sunday, February 13, 2022, at the age of 67.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature honors Daniel J. Gillespie for his contributions to conservation and soil health.
2. That the Legislature offers its condolences to the family of Daniel J. Gillespie.
3. That a copy of this resolution be sent to the family of Daniel J. Gillespie.
Laid over.

LEGISLATIVE RESOLUTION 302. Introduced by Cavanaugh, J., 9; Cavanaugh, M., 6; McDonnell, 5.

WHEREAS, for the first time ever, the Ambassador of Ireland to the United States of America, Mr. Daniel Mulhall, will visit Nebraska from February 26, 2022, through March 1, 2022; and
WHEREAS, Ambassador Mulhall and his wife, Greta Mulhall, will be the honored guests at the Nebraska Statehood Dinner celebrating the admission of the Great State of Nebraska to the United States on March 1, 1867; and
WHEREAS, immigrants from Ireland played a prominent role in the establishment of the State of Nebraska and communities throughout the state; and
WHEREAS, Irish-American Heritage Month was first celebrated by proclamation of the President in 1991; and
WHEREAS, Ambassador and Mrs. Mulhall will be the guests of honor for the Douglas County Irish-American community for the launch of Irish-American Heritage Month on March 1, 2022; and
WHEREAS, Irish-American Heritage Month peaks with St. Patrick's Day on March 17 and celebrates the many significant Irish-American contributions to our community, state, and nation; and
WHEREAS, 2022 is the one hundredth anniversary of Irish independence.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF HE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature recognizes March 2022 as Irish-American Heritage Month and March 1, 2022, as Daniel and Greta Mulhall Day.
2. That a copy of this resolution be sent to Mr. Daniel Mulhall, the Ambassador of Ireland to the United States of America.

Laid over.

ANNOUNCEMENT(S)

Priority designation(s) received:

Geist - LB1010
Hansen, M. - LB1073
Revenue - LB730
Executive Board - LB686
Executive Board - LB897
Slama - LB977
Transportation and Telecommunications - LB750
Transportation and Telecommunications - LB1144
Wishart - LB598
Dorn - LB1261
Pansing Brooks - LB717
Lathrop - LB353
Judiciary - LB920
Judiciary - LB922
Aguilar - LB919
Business and Labor - LB780
Business and Labor - LB512
Walz - LB852
Lowe - LB1086
Bostar - LB964
Moser - LB984
Friesen - LB873
Wayne - LB917
Legislature's Planning - LB792
ANNOUNCEMENT

Senator Bostelman announced the Natural Resources Committee will meet Wednesday, February 23, 2022, following the hearing in Room 1525.

MOTION(S) - Print in Journal

Senator M. Cavanaugh filed the following motion to LB685:
MO148
Bracket until April 20, 2022.

Senator M. Cavanaugh filed the following motion to LB708:
MO149
Bracket until April 20, 2022.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Slama name added to LB933.

VISITOR(S)

Visitors to the Chamber were Commander Dan Benes and Senior Vice Commander Don Suchy of Valparaiso, Assistant Adjutant Brent Hagel-Pitt from Eagle, National Executive Committeeman Fred Craigie all of the American Legion; and 120 students and practitioners from Creighton, Southeast Community College, Northeast Community College, the College of St. Mary and Clarkson College, all representing the Nebraska Chapter of the American Physical Therapy Association.

The Doctor of the Day was Dr. David Hoelting of Pender.

ADJOURNMENT

At 12:02 p.m., on a motion by Senator Halloran, the Legislature adjourned until 9:00 a.m., Wednesday, February 23, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
THIRTIETH DAY - FEBRUARY 23, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

THIRTIETH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 23, 2022

PRAYER

The prayer was offered by Reverend Gregg Gahan, Craig-Alder Grove Parish, Craig.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Wayne.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator Wishart who was excused; and Senators Bostar, Bostelman, M. Cavanaugh, Day, Hilkemann, McCollister, Morfeld, Pansing Brooks, Slama, Stinner, and Walz who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-ninth day was approved.

GENERAL FILE

LEGISLATIVE BILL 939. Committee AM1780, found on page 506 and considered on page 582, was renewed.

The M. Hansen amendment, AM1869, found on page 537 and considered on page 603, to the committee amendment, was renewed.

Pending.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 700. Placed on Final Reading.
LEGISLATIVE BILL 906. Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

COMMITTEE REPORT(S)
Natural Resources

LEGISLATIVE BILL 806. Placed on General File with amendment.

LEGISLATIVE BILL 981. Placed on General File with amendment.

LEGISLATIVE BILL 1102. Placed on General File with amendment.
12 and in line 15 strike "unless waived by the director" and insert "of such section".

(Signed) Bruce Bostelman, Chairperson
General Affairs

LEGISLATIVE BILL 1236. Placed on General File with amendment. AM1986 is available in the Bill Room.

(Signed) Tom Briese, Chairperson
Urban Affairs

LEGISLATIVE BILL 727. Placed on General File.

(Signed) Justin Wayne, Chairperson
Revenue

LEGISLATIVE BILL 165. Placed on General File with amendment. AM2003
1 1. Strike original section 6 and insert the following new section:
2 Sec. 7. Since an emergency exists, this act takes effect when passed
3 and approved according to law.
4 2. On page 3, lines 9 and 12, strike "twenty", show as stricken, and
5 insert "fifty".
6 3. Renumber the remaining section accordingly.

LEGISLATIVE BILL 853. Placed on General File with amendment. AM1601
1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 77-3506, Revised Statutes Cumulative Supplement,
4 2020, is amended to read:
5 77-3506 (1) All homesteads in this state shall be assessed for
6 taxation the same as other property, except that:
7 (a) There shall be exempt from taxation, on any homestead
8 described in subdivision (2)(a), (b), (c), or (d) subsection (2) of this
9 section, one hundred percent of the exempt amount; and
10 (b) There shall be exempt from taxation, on any homestead described
11 in subdivision (2)(e) of this section, an amount equal to the exempt
12 amount multiplied by the applicable percentage from subsection (3) of
13 this section. Such percentage shall be based on the disability percentage
14 of the veteran.
15 (2) The exemption described in subsection (1) of this section shall
16 apply to homesteads of:
17 (a) A veteran who was discharged or otherwise separated with a
18 characterization of honorable or general (under honorable conditions),
19 who is drawing compensation from the United States Department of Veterans
20 Affairs because of a one hundred percent service-connected disability,
21 and who is not eligible for total exemption under sections 77-3526 to
22 77-3528, an unmarried surviving spouse of such a veteran, or a
23 surviving spouse of such a veteran who remarries after attaining the age
24 of fifty-seven years;
25 (b) An unremarried surviving spouse of any veteran, including a
26 veteran other than a veteran described in section 80-401.01, who was
27 discharged or otherwise separated with a characterization of honorable or
28 general (under honorable conditions) and who died because of a service-
29 connected disability or a surviving spouse of such a veteran who
30 remarries after attaining the age of fifty-seven years; and
31 (c) An unremarried surviving spouse of a serviceman or serviciwoman,
32 including a veteran other than a veteran described in section 80-401.01,
33 whose death while on active duty was service-connected or a surviving
34 spouse of such a serviceman or serviciwoman who remarries after attaining
35 the age of fifty-seven years.
36 (d) An unremarried surviving spouse of a serviceman or serviciwoman
37 who died while on active duty during the periods described in section
38 80-401.01 or a surviving spouse of such a serviceman or serviciwoman who
39 remarries after attaining the age of fifty-seven years; or
40 (e) Beginning January 1, 2023, a veteran who was discharged or
41 otherwise separated with a characterization of honorable or general
42 (under honorable conditions), who is drawing compensation from the United
43 States Department of Veterans Affairs because the veteran is at least
44 fifty percent disabled but less than one hundred percent disabled due to
45 a service-connected disability, and who is not eligible for total
46 exemption under sections 77.3526 to 77.3528, an unremarried surviving
47 spouse of such a veteran, or a surviving spouse of such a veteran who
48 remarries after attaining the age of fifty-seven years.
49 (2) For a claimant described in subdivision (2)(c) of this section,
50 the exempt amount shall be multiplied by the percentage in Column B which
51 corresponds with the veteran's disability percentage in Column A in the
52 table found in this subsection.

<table>
<thead>
<tr>
<th>Column A</th>
<th>Column B Percentage To Apply To</th>
</tr>
</thead>
<tbody>
<tr>
<td>29 At least 90% but less than 100% disabled</td>
<td>90</td>
</tr>
<tr>
<td>30 At least 80% but less than 90% disabled</td>
<td>80</td>
</tr>
<tr>
<td>31 At least 70% but less than 80% disabled</td>
<td>70</td>
</tr>
<tr>
<td>32 At least 60% but less than 70% disabled</td>
<td>60</td>
</tr>
<tr>
<td>33 At least 50% but less than 60% disabled</td>
<td>50</td>
</tr>
</tbody>
</table>

4. (4) Application for exemption under this section shall include
5. certification of the status set forth in subsection (2) of this section
6. from the United States Department of Veterans Affairs. Such certification
7. shall not be required in succeeding years if no change in status has
8. occurred, except that the county assessor or the Tax Commissioner may
9. request such certification to verify that no change in status has
10. occurred.
11 Sec. 2. Original section 77-3506, Revised Statutes Cumulative
12 Supplement, 2020, is repealed.

LEGISLATIVE BILL 1273. Placed on General File with amendment.

AM2005
1. Insert the following new section:
2. Sec. 2. Section 85-2603, Revised Statutes Cumulative Supplement,
3. 2020, is amended to read:
4. 85-2603 (1) A law enforcement officer shall be entitled to a waiver
5. of one hundred percent of the resident tuition charges of any
6. state university, state college, or community college if the officer:
7. (a) Maintains satisfactory performance with his or her law
8. enforcement agency;
9. (b) Meets all admission requirements of the state university, state
10. college, or community college; and
11. (c) Pursues studies leading to a degree that relates to a career in
12. law enforcement from an associate degree program or a baccalaureate
13 degree program.
14 The officer may receive the tuition waiver for up to five years if
15 he or she otherwise continues to be eligible for participation.
16 (2) The state university, state college, or community college shall
17 waive one hundred thirty percent of the officer's tuition remaining due
18 after subtracting awarded federal financial aid grants and state
19 scholarships and grants for an eligible law enforcement officer during
20 the time the officer is enrolled. To remain eligible, the officer must
21 comply with all requirements of the institution for continued attendance
22 and award of an associate degree or a baccalaureate degree.
23 (3) An application for the tuition waiver shall include a
24 verification of the law enforcement officer's satisfactory performance as
25 a law enforcement officer. It shall be the responsibility of the officer
26 to obtain a certificate of verification from his or her superior officer
27 in such officer's law enforcement agency attesting to such officer's
28 satisfactory performance. The officer shall include the certificate of
29 verification when applying to the state university, state college, or
30 community college in order to obtain tuition waiver upon initial
31 enrollment.
32 (4) Within forty-five days after receipt of a completed application,
33 the state university, state college, or community college shall send
34 written notice of the law enforcement officer's eligibility or
35 ineligibility for the tuition waiver. If the officer is determined not to
36 be eligible for the tuition waiver, the notice shall include the reason
37 or reasons for such determination and an indication that an appeal of the
38 determination may be made pursuant to the Administrative Procedure Act.
39 2. Renumber the remaining section and correct the repealer
40 accordingly.

(Signed) Lou Ann Linehan, Chairperson

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB1024:
AM1989  (Amendments to Standing Committee amendments, AM1920)
1 1. On page 3, line 6, strike “two” and insert “three”.

GENERAL FILE

LEGISLATIVE BILL 939. Committee AM1780, found on page 506 and
considered on page 582 and in this day's Journal, was renewed.

The M. Hansen amendment, AM1869, found on page 537 and considered on
page 603 and in this day's Journal, to the committee amendment, was
renewed.

SENATOR WILLIAMS PRESIDING

Senator M. Hansen moved for a call of the house. The motion prevailed
with 20 ayes, 7 nays, and 21 not voting.

Senator Linehan requested a roll call vote on the M. Hansen amendment.
Voting in the affirmative, 2:

Hansen, M. Hunt

Voting in the negative, 42:

Aguilar          Cavanaugh, M.       Gragert       Lowe           Slama
Albrecht         Clements           Halloran      McCollister    Stinner
Arch             Day               Hansen, B.    McDonnell      Vargas
Blood            DeBoer            Hilkers       McKinney      Walz
Bostelman        Dorn              Hilkemann     Moser          Wayne
Brandt           Erdman            Hughes        Murman         Williams
Brewer           Flood             Kolterman     Pahls
Briese           Friesen           Lathrop       Pansing Brooks
Cavanaugh, J.    Geist             Linehan       Sanders

Present and not voting, 1:

Morfeld

Excused and not voting, 3:

Bostar           Lindstrom         Wishart

The M. Hansen amendment lost with 2 ayes, 42 nays, 1 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator M. Hansen offered his amendment, AM1868, found on page 537, to the committee amendment.

Pending.

UNANIMOUS CONSENT - Room Change

Senator Bostelman asked unanimous consent that the Natural Resources Committee conduct its hearing on Wednesday, February 23, 2022, in Room 1003 instead of Room 1525. No objections. So ordered.

MOTION - Suspend Rules

Speaker Hilgers offered the following motion:

Suspend Rule 3, Sec. 14, to permit cancellation of public hearings on the following bills: LB784 and LB1179 in less than seven days.

The Hilgers motion to suspend the rules prevailed with 34 ayes, 1 nay, 10 present and not voting, and 3 excused and not voting.
NOTICE OF COMMITTEE HEARING(S)
Education
Room 1525 1:30 PM

Monday, February 28, 2022
LB1179 (cancel)

(Signed) Lynne Walz, Chairperson

Revenue
Room 1524 1:30 PM

Thursday, February 24, 2022
LB784 (cancel)

(Signed) Lou Ann Linehan, Chairperson

ANNOUNCEMENT(S)
Speaker priority bill/resolution designations are as follows:
LBs 344, 436, 596, 661, 698, 729, 769, 777, 804, 820, 840, 864, 887, 888,
896, 902, 998, 1016, 1065, 1102, 1112, 1130, 1246, 1273, and LR283CA.

NOTICE OF COMMITTEE HEARING(S)
Health and Human Services
Room 1510 1:30 PM

Thursday, March 3, 2022
Alysson Muotri - Stem Cell Research Advisory Committee
Roger D. Wells - Nebraska Rural Health Advisory Commission
Claire C. Bazata - Nebraska Child Abuse Prevention Fund Board
Rebecca A. Schroeder - Nebraska Rural Health Advisory Commission
Cherlyn Hunt - Nebraska Rural Health Advisory Commission
Jeffrey D. Harrison - Nebraska Rural Health Advisory Commission

(Signed) John Arch, Chairperson

COMMITTEE REPORT(S)
Agriculture

LEGISLATIVE BILL 805. Placed on General File with amendment.
AM1976 is available in the Bill Room.

(Signed) Steve Halloran, Chairperson

Revenue

LEGISLATIVE BILL 1150. Placed on General File with amendment.
AM2009 is available in the Bill Room.
Amendment(s) - Print in Journal

Senator M. Cavanaugh filed the following amendment to LB 1216:

AM 1949
1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 30-2627, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 30-2627 (a) Except as provided in subsection (b) of this section,
6 any duly competent person or the Public Guardian may be appointed guardian
7 of a person alleged to be incapacitated, except that
8 (b) Except as provided in subsection (c) of this section, it shall
9 be unlawful for any agency providing residential care in an institution
10 or community-based program, or any owner, part owner, manager,
11 administrator, employee, or spouse of an owner, part owner, manager,
12 administrator, or employee of any nursing home, room and board home,
13 assisted-living facility, or institution engaged in the care, treatment,
14 or housing of any person physically or mentally handicapped, infirm, or
15 aged to be appointed guardian of any such person residing, being under
16 care, receiving treatment, or being housed in any such home, facility, or
17 institution within the State of Nebraska.
18 (c)(1) Nothing in subsection (b) of this section shall prevent:
19 (ii) The spouse, adult child, parent, or other relative of the
20 person alleged to be incapacitated from being appointed guardian; or
21 (ii) The present guardian officer for one of the Nebraska
22 veterans homes as provided in section 80-327 from being appointed
23 guardian or conservator for the person alleged to be incapacitated.
24 (2)(i) Nothing in subsection (b) of this section shall prevent an
25 individual from being employed by, or an independent provider at, an
26 institution, program, home, or facility described in subsection (b) of
27 this section if such individual is:
28 (A) A guardian or if such individual has a power of attorney for a
29 person who is alleged to be incapacitated and who is residing, being
30 under care, receiving treatment, or being housed in such institution,
31 program, home, or facility; and
32 (B) The spouse, adult child, parent, or other relative of the
33 allegedly incapacitated person:
34 (ii) An employee or independent provider described in this
35 subdivision (c)(2) may be subject to increased monitoring and checks by
36 the Office of the Public Guardian.
37 (d) It shall be unlawful for any county attorney or deputy county
38 attorney appointed as guardian for a person alleged to be incapacitated
39 to circumvent his or her duties or the rights of the ward pursuant to the
40 Nebraska Mental Health Commitment Act by consenting to inpatient or
41 outpatient psychiatric treatment over the objection of the ward.
42 (e) Persons who are not disqualified under subsection (b) (ii) of
43 this section and who exhibit the ability to exercise the powers to be
44 assigned by the court have priority for appointment as guardian in the
45 following order:
46 (1) A person nominated most recently by one of the following
47 methods:
48 (i) A person nominated by the incapacitated person in a power of
49 attorney or a durable power of attorney;
50 (ii) A person acting under a power of attorney or durable power of
51 attorney; or
52 (iii) A person nominated by an attorney in fact who is given power
53 to nominate in a power of attorney or a durable power of attorney
54
27 executed by the incapacitated person;
28 (2) The spouse of the incapacitated person;
29 (3) An adult child of the incapacitated person;
30 (4) A parent of the incapacitated person, including a person
31 nominated by will or other writing signed by a deceased parent;
1 (5) Any relative of the incapacitated person with whom he or she has
2 resided for more than six months prior to the filing of the petition;
3 (6) A person nominated by the person who is caring for him or her or
4 paying benefits to him or her;
5 (7) The Public Guardian.
6 (I) (a) When appointing a guardian, the court shall take into
7 consideration the expressed wishes of the allegedly incapacitated person.
8 The court, acting in the best interest of the incapacitated person, may
9 pass over a person having priority and appoint a person having lower
10 priority or no priority. With respect to persons having equal priority,
11 the court shall select the person it deems best qualified to serve.
12 (g) (4) In its order of appointment, unless waived by the court, the
13 court shall require any person appointed as guardian to successfully
14 complete within three months of such appointment a training program
15 approved by the Public Guardian. If the person appointed as guardian does
16 not complete the training program, the court shall issue an order to show
17 cause why such person should not be removed as guardian.
18 (h) (e) The court may require a guardian to furnish a bond in an
19 amount and conditioned in accordance with the provisions of sections
20 30-2640 and 30-2641. The Public Guardian shall not be required to post
21 bond.
22 Sec. 2. Section 30-2639, Reissue Revised Statutes of Nebraska, is
23 amended to read:
24 30-2639 (a) Except as provided in subsection (b) of this section,
25 the court may appoint an individual, a corporation with general power
26 to serve as trustee, or the Public Guardian as conservator of the estate
27 of a protected person, except that
28 (b) Except as provided in subsection (c) of this section, it shall
29 be unlawful for any agency providing residential care in an institution
30 or community-based program or any owner, part owner, manager,
31 administrator, employee, or spouse of an owner, part owner, manager,
1 administrator, or employee of any nursing home, room and board home,
2 assisted-living facility, or institution engaged in the care, treatment,
3 or housing of any person physically or mentally handicapped, infirm, or
4 aged to be appointed conservator of any such person residing, being under
5 care, receiving treatment, or being housed in any such home, facility, or
6 institution within the State of Nebraska.
7 (c) (1) Nothing in subsection (b) of this section subsection shall
8 prevent the spouse, adult child, parent, or other relative of the person
9 in need of protection from being appointed conservator.
10 (2) (i) Nothing in subsection (b) of this section shall prevent an
11 individual from being employed by, or an independent provider of
12 an institution, program, home, or facility described in subsection (b) of
13 this section of such individual is:
14 (A) A conservator or such individual has a power of attorney for a
15 person who is alleged to be incapacitated and who is residing, being
16 under care, receiving treatment, or being housed in such institution,
17 program, home, or facility; and
18 (B) The spouse, adult child, parent, or other relative of the
19 allegedly incapacitated person.
20 (ii) An employee or independent provider described in this
21 subdivision (c)(2) may be subject to increased monitoring and checks by
22 the Office of the Public Guardian.
23 (d) (a) Persons who are not disqualified under subsection (b) (a) of
24 this section and who exhibit the ability to exercise the powers to be
25 assigned by the court have priority for appointment as conservator in the
26 following order:
27 (1) A person nominated most recently by one of the following
28 methods:
29 (i) A person nominated by the protected person in a power of
30 attorney or durable power of attorney;
31 (ii) A person acting under a power of attorney or durable power of
1 attorney; or
2 (iii) A person nominated by an attorney in fact who is given power
3 to nominate in a power of attorney or a durable power of attorney
4 executed by the protected person;
5 (2) A conservator, guardian of property, or other like fiduciary
6 appointed or recognized by the appropriate court of any other
7 jurisdiction in which the protected person resides;
8 (3) An individual or corporation nominated by the protected person
9 if he or she is fourteen or more years of age and has, in the opinion of
10 the court, sufficient mental capacity to make an intelligent choice;
11 (4) The spouse of the protected person;
12 (5) An adult child of the protected person;
13 (6) A parent of the protected person or a person nominated by the
14 will of a deceased parent;
15 (7) Any relative of the protected person with whom he or she has
16 resided for more than six months prior to the filing of the petition;
17 (8) A person nominated by the person who is caring for him or her or
18 paying benefits to him or her,
19 (9) The Public Guardian.
20 (g) When appointing a conservator, the court shall take into
21 consideration the expressed wishes of the person to be protected. A
22 person having priority listed in subdivision (2), (4), (5), (6), or (7)
23 of subsection (f) of this section may nominate in writing a person to
24 serve in his or her stead. With respect to persons having equal priority,
25 the court shall select the person it deems best qualified of those
26 willing to serve. The court, acting in the best interest of the protected
27 person, may pass over a person having priority and appoint a person
28 having lower priority or no priority.
29 (h) In its order of appointment, unless waived by the court, the
30 court shall require any person appointed as conservator to successfully
31 complete within three months of such appointment a training program
1 approved by the Public Guardian. If the person appointed as conservator
2 does not complete the training program, the court shall issue an order to
3 show cause why such person should not be removed as conservator.
4 Sec. 3. Original sections 30-2627 and 30-2639, Reissue Revised
5 Statutes of Nebraska, are repealed.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So
ordered.

Senator Halloran name added to LB933.
Senator Wayne name added to LB1065.
Senator Wishart name added to LB1275.

VISITOR(S)

Visitors to the Chamber were Elkhorn Rural Public Power District Board of
Director, Battle Creek.
ADJOURNMENT

At 11:59 a.m., on a motion by Senator Pansing Brooks, the Legislature adjourned until 9:00 a.m., Thursday, February 24, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
THIRTY-FIRST DAY - FEBRUARY 24, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

THIRTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, February 24, 2022

PRAYER

The prayer was offered by Pastor Jim Haack, Beautiful Savior Lutheran Church, La Vista.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Aguilar.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Hughes presiding.

The roll was called and all members were present except Senators Bostar, Day, DeBoer, B. Hansen, Hunt, McCollister, McKinney, Morfeld, and Pansing Brooks who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 621, line 39, Strike "AM1896" and insert "AM1869".
The Journal for the thirtieth day was approved as corrected.

MESSAGE FROM THE GOVERNOR

February 23, 2022

Michael B. Jacobson
3020 West Leota
North Platte, NE 69101

Dear Mr. Jacobson:

It is my pleasure to appoint you as a member of the Nebraska Legislature representing District 42 effective February 23, 2022. Your knowledge and
input are valuable and your willingness to serve in this important position is appreciated. Working together we can make wise decisions while keeping the best interests of our citizens in mind.

Congratulations and best wishes.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosure

GUBERNATORIAL APPOINTMENT

Greetings To All Who Shall See These Presents Know Ye, that I, Pete Ricketts, on behalf of the State of Nebraska and as Governor, do hereby appoint Michael B. Jacobson as a member of the Nebraska Legislature - District 42.

Reposing special trust in your ability, integrity and patriotism, I do authorize and empower you to discharge the duties of said appointment, according to law.

This appointment shall take effect on February 23, 2022, and continue until January 3, 2023, provided you shall satisfactorily perform all the duties imposed by law.

(Signed) Pete Ricketts
Governor

(Signed) Robert B. Evnen
Secretary of State

OFFICIAL OATH

STATE OF NEBRASKA )
) ss.
County of Lancaster )

"I, Michael B. Jacobson, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Nebraska, and will faithfully discharge the duties of Member of the Legislature, District 42 according to the best of my ability, and that at the election at which I was chosen to fill said office, I have not improperly influenced in any way the vote of any elector, and have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company or person, or any promise of office, for any official act or influence (for any vote may give or withhold on any bill, resolution, or appropriation)."

(Signed) Michael B. Jacobson
Subscribed in my presence and sworn to before me this 23rd day of February, 2022.

(SEAL)  (Signed) Robert B. Evnen
Secretary of State

*Constitution of the State of Nebraska, Article XV, Section One.
For Executive, Judicial Officers and Members of the Legislature.

COMMITTEE REPORT(S)
Natural Resources

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Paul E. Strommen - Nebraska Oil and Gas Conservation Commission

Absent: 0. Present and not voting: 1. Cavanaugh, J.

Dallen R. Juelfs - Nebraska Oil and Gas Conservation Commission

Nay: 0. Absent: 0. Present and not voting: 0.

LEGISLATIVE BILL 809. Placed on General File with amendment.
AM2004 is available in the Bill Room.

(Signed) Bruce Bostelman, Chairperson

UNANIMOUS CONSENT - Room Change

Senator Stinner asked unanimous consent that the Appropriations Committee conduct its hearing on Thursday, February 24, 2022, and Friday, February 25, 2022, and Wednesday, March 2, 2022, and Thursday, March 3, 2022, in Room 1525 instead of Room 1003. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 939. Committee AM1780, found on page 506 and considered on pages 582 and 617, was renewed.

The M. Hansen amendment, AM1868, found on page 537, was withdrawn.
The M. Cavanaugh amendment, AM1856, found on page 584, to the committee amendment, was offered.

PRESIDENT FOLEY PRESIDING

Senator Linehan offered the following motion:  
MO150  
Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Linehan moved for a call of the house. The motion prevailed with 27 ayes, 0 nays, and 22 not voting.

Senator Linehan requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 41:

Aguilar    Day    Hansen, B.    McCollister    Vargas  
Albrecht   DeBoer   Hilgers    McDonnell    Walz  
Arch       Dorn     Hiukemann  Moser       Wayne  
Blood      Erdman   Hughes     Murman     Williams  
Bostelman  Flood    Jacobson  Pahls       Wishart  
Brandt     Friesen  Kolterman  Pahls       Wishart  
Brewer     Geist     Lindstrom  Sanders     
Briese      Gragert  Linehan    Slama     
Clements   Halloran  Lowe       Stinner     

Voting in the negative, 1:

Hunt

Present and not voting, 5:

Cavanaugh, J.    Cavanaugh, M.    Hansen, M.    Lathrop    McKinney

Excused and not voting, 2:

Bostar    Morfeld

The Linehan motion to invoke cloture prevailed with 41 ayes, 1 nay, 5 present and not voting, and 2 excused and not voting.

The M. Cavanaugh amendment lost with 8 ayes, 34 nays, 5 present and not voting, and 2 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on the committee amendment.

Voting in the affirmative, 39:
Voting in the negative, 2:
Cavanaugh, J. Hunt

Present and not voting, 6:
Blood Hansen, M. McKinney
Cavanaugh, M. Lathrop Walz

Excused and not voting, 2:
Bostar Morfeld

The committee amendment was adopted with 39 ayes, 2 nays, 6 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 1 nay, 6 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

**COMMITTEE REPORT(S)**

**Business and Labor**

**LEGISLATIVE BILL 1040.** Placed on General File.

**LEGISLATIVE BILL 1069.** Placed on General File.

(Signed) Ben Hansen, Chairperson

Transportation and Telecommunications

**LEGISLATIVE BILL 750.** Placed on General File with amendment.

AM1966 is available in the Bill Room.

(Signed) Curt Friesen, Chairperson
COMMITTEE ON COMMITTEES REPORT

Committee on Committees reported the following committee assignments made due to the resignation of Senator Groene:

Senator Jacobson has been appointed to the Agriculture Committee, General Affairs Committee, and Natural Resources Committee.

GENERAL FILE

LEGISLATIVE BILL 925. Title read. Considered.

Senator Gragert offered his amendment, AM1836, found on page 528.

SENATOR HUGHES PRESIDING

The Gragert amendment was adopted with 37 ayes, 1 nay, 8 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 34 ayes, 7 nays, 5 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 925A. Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 5 nays, 8 present and not voting, and 4 excused and not voting.

CORRECTED COMMITTEE REPORT

Agriculture

LEGISLATIVE BILL 235. Corrected Amendment:

AM2045

1. Strike the original sections and insert the following new 2 sections:
3 Section 1. Section 54-1901, Reissue Revised Statutes of Nebraska, is 4 amended to read:
5 54-1901 Sections 54-1901 to 54-1915 and section 2 of this act may be 6 cited as the Nebraska Meat and Poultry Inspection Law.
7 Sec. 2. (1) It is the intent of the Legislature to appropriate one 8 million dollars each fiscal year from the General Fund for fiscal years 9 2022-23 and 2023-24 to the department for purposes of a pilot program for 10 establishing a cooperative state inspection program under 21 U.S.C. 661, 11 and 21 U.S.C. 454, as such sections existed on January 1, 2021. The 12 unexpended and unobligated balance of the funds appropriated for the 13 pilot program shall lapse to the General Fund at the end of each fiscal 14 year.
15 (2) For purposes of the pilot program, the administrator shall be a 16 licensed veterinarian employed by the department. The department shall 17 provide staff support for the administrator. The administrator shall 18 provide for certification of inspectors for the pilot program, including 19 a program of instruction, an examination, and fees. In order to be 20 eligible to be certified as an inspector for the pilot program, an 21 individual shall be a licensed veterinarian who has experience with large
22 animals.
23 (3) Up to ten licensed establishments may participate in the pilot
24 program. A licensed establishment which chooses to participate in the
25 pilot program shall contract with one or more certified inspectors for
26 inspections under the pilot program. A certified inspector contracting
27 with a licensed establishment shall not be considered an employee,
28 official, or agent of the department.
29 (4) The department may adopt and promulgate rules and regulations
30 for the pilot program.

Sec. 3. Original section 54-1901, Reissue Revised Statutes of
5 Nebraska, is repealed.

(Signed) Steve Halloran, Chairperson
Revenue

LEGISLATIVE RESOLUTION 264CA. Placed on General File.

LEGISLATIVE BILL 927. Placed on General File with amendment.
AM2023 is available in the Bill Room.

(Signed) Lou Ann Linehan, Chairperson

AMENDMENT(S) - Print in Journal

Senator Friesen filed the following amendment to LB750:
AM2038
(Amendments to Standing Committee amendments, AM1966)
1 1. On page 19, line 17, strike "twenty-five" and reinstate the
2 stricken "fifty"; and in line 19 strike "Five dollars" and insert "Four
3 dollars and twenty-five cents".

Senator Day filed the following amendment to LB888:
AM1995
1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 79-760.01, Revised Statutes Supplement, 2021, is
4 amended to read:
5 79-760.01 (1) The State Board of Education shall adopt measurable
6 academic content standards for at least the grade levels required for
7 statewide assessment pursuant to section 79-760.03. The standards shall
8 cover the subject areas of reading, writing, mathematics, science, and
9 social studies.
10 (2) The board shall also adopt measurable academic content standards
11 for the following financial literacy as part of the social studies
12 standards, -
13 (a) Financial literacy; and
14 (b) Education on the Holocaust and other acts of genocide.
15 (3) Academic content standards adopted or recommended pursuant to
16 this section shall be sufficiently clear and measurable to be used for
17 testing student performance with respect to mastery of the content
18 described in the state standards.
19 (4) The State Board of Education shall develop a plan to review and
20 update standards for each subject area every seven years. The state board
21 plan shall include a review of commonly accepted standards adopted by
22 school districts.
Bill on first reading

The following bill was read for the first time by title:

**Legislative Bill 1173A.** Introduced by Arch, 14.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1173, One Hundred Seventh Legislature, Second Session, 2022; and to declare an emergency.

**Resolution(s)**

**Legislative Resolution 303.** Introduced by Sanders, 45; McKinney, 11.

WHEREAS, the 2022 Nebraska School Activities Association State Wrestling Tournament was held from February 17 to February 19 at the CHI Health Center Omaha; and
WHEREAS, senior Garrett Grice wrestled for the Bellevue East High School wrestling team coached by Todd Porter; and
WHEREAS, Garrett won the Class A 138-pound state championship match during the 2022 Nebraska State Wrestling Tournament; and
WHEREAS, during Garrett's time at Bellevue East, he achieved a record of 196-1 and won four straight state championships; and
WHEREAS, Garrett is the first wrestler from Bellevue East, and only the thirty-fifth wrestler in Nebraska wrestling history, to win four straight state championships; and
WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature congratulates Garrett Grice on winning the 2022 Class A 138-pound State Wrestling Championship and on winning four straight Class A State Wrestling Championships during his time at Bellevue East.
2. That copies of this resolution be sent to Bellevue East High School, Garrett Grice, and coach Todd Porter.

Laid over.
UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Halloran name added to LB597.
Senator McDonnell name added to LB933.
Senator McDonnell name added to LB1086.
Senator Sanders name added to LB1086.
Senator DeBoer name added to LB1241.

VISITOR(S)

Visitors to the Chamber were Benjamin Blowers and Janai Blowers with Ratio Christi; Nebraska State AFL-CIO Union Members; student delegates of UNMC Omaha; and twelfth graders from Elkhorn North High School and their sponsor.

The Doctor of the Day was Dr. Dale Michels of Walton.

ADJOURNMENT

At 11:57 a.m., on a motion by Senator Albrecht, the Legislature adjourned until 9:00 a.m., Friday, February 25, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
THIRTY-SECOND DAY - FEBRUARY 25, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

THIRTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Friday, February 25, 2022

PRAYER

The prayer was offered by Pastor JJ Jackson, Flatland Church, Omaha.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Lowe.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Hughes presiding.

The roll was called and all members were present except Senators Bostar, Bostelman, Day, B. Hansen, Linehan, McKinney, Morfeld, Pansing Brooks, Walz, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-first day was approved.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 24, 2022, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Chaney, Chelsea
National Association of Mutual Insurance Companies (NAMIC)
CP Strategies LLC
Scientific Games Corporation (Withdrawn 02/18/2022)
Gottschalk, Kristen
Nebraska Electric Generation and Transmission Cooperative, Inc.
Greene, Steven
Opportunity Solutions Project
Houghton Bradford Whitted PC, LLO
Avenue Scholars Foundation
Husch Blackwell Strategies
EBSCO
Kelley Plucker, LLC
Daily Record, The
Mahoney, Maureen
Consumer Reports, Inc.
Russell, Daniel
Stand for Schools
Todd-Harlin, Andrea
Smart-Fill (Withdrawn 02/21/2022)

REPORTS
Agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website.

COMMITTEE ON COMMITTEES FINAL REPORT
Senator Robert Hilkemann offered the following Committee on Committees report:

Agriculture- Senator Jacobson
General Affairs- Senator Jacobson
Natural Resources- Senator Jacobson

Senator Robert Hilkemann moved to approve the Committee on Committees report found in this day's Journal.

The Committee on Committees report was approved with 39 ayes, 0 nays, 5 present and not voting, and 5 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 767A. Title read. Considered.
Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 2 present and not voting, and 5 excused and not voting.

MOTION(S) - Bracket LB685

LEGISLATIVE BILL 685. Senator M. Cavanaugh offered her motion, MO148, found on page 616, to bracket until April 20, 2022.

The M. Cavanaugh motion to bracket failed with 1 aye, 39 nays, 4 present
and not voting, and 5 excused and not voting.

**BILLS ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 685.**

A BILL FOR AN ACT relating to appropriations; to eliminate obsolete provisions appropriating funds for FY2017-18 and FY2018-19; and to outright repeal section 90-561, Revised Statutes Cumulative Supplement, 2020.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 44:

Aguilar  Cavanaugh, M.  Halloran  Lathrop  Pahls
Albrecht  Clements  Hansen, B.  Lindstrom  Pansing Brooks
Arch  DeBoer  Hansen, M.  Linehan  Sanders
Blood  Dorn  Hilgers  Lowe  Slama
Bostelman  Erdman  Hilkemann  McCollister  Stinner
Brandt  Flood  Hughes  McDonnell  Vargas
Brewer  Friesen  Hunt  McKinney  Wayne
Briese  Geist  Jacobson  Moser  Williams
Cavanaugh, J.  Gragert  Kolterman  Murman

Voting in the negative, 0.

Excused and not voting, 5:

Bostar  Day  Morfeld  Walz  Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB700 with 34 ayes, 5 nays, 6 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 700.** With Emergency Clause.

A BILL FOR AN ACT relating to retirement; to amend sections 23-2317.01, 79-920, 84-1319.01, and 84-1511, Reissue Revised Statutes of
Nebraska, sections 23-2309.01, 23-2310.05, 72-1243, 79-921, 84-1301, 84-1310.01, 84-1311.03, and 84-1322, Revised Statutes Cumulative Supplement, 2020, and sections 79-902, 79-978, 79-992.01, 79-9,117, and 84-1503, Revised Statutes Supplement, 2021; to eliminate obsolete provisions relating to investment options under certain acts, the state investment officer, and the Public Employees Retirement Board; to change provisions relating to certain funds; to define and redefine terms; to change provisions relating to participation in certain plans as prescribed; to eliminate provisions relating to termination of employment and early retirement inducement notification; to change duties of certain employers; to change provisions relating to preretirement planning and repayment of a distribution after reemployment; to change duties of and provide duties for the Public Employees Retirement Board; to provide a deadline for a certain compliance audit; to provide for retirement training sessions; to eliminate a retirement education and financial planning program; to harmonize provisions; to repeal the original sections; to outright repeal section 84-1511.01, Reissue Revised Statutes of Nebraska; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 45:

Aguilar Cavanaugh, M. Halloran Lathrop Pahls
Albrecht Clements Hansen, B. Lindstrom Pansing Brooks
Arch DeBoer Hansen, M. Linehan Sanders
Blood Dorn Hilgers McCollister Slama
Bostelman Erdman Hilkemann McDonnell Stinner
Brandt Flood Hughes McKinney Vargas
Brewer Friesen Hunt Morfeld Walz
Briese Geist Jacobson Moser Wayne
Cavanaugh, J. Gragert Kolterman Murman Williams

Voting in the negative, 0.

Present and not voting, 1:

Lowe

Excused and not voting, 3:

Bostar Day Wishart

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.
MOTION(S) - Return LB906 to Select File

Senator Hunt moved to return LB906 to Select File for her specific amendment, AM1925, found on page 570.

The Hunt motion to return failed with 4 ayes, 34 nays, 9 present and not voting, and 2 excused and not voting.

The Hunt amendment, AM1925, was not considered.

WITHDRAW - Amendment(s) to LB906

Senator Hunt withdrew her amendments, AM1927 and AM1926, found on page 570, to LB906.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 906. With Emergency Clause.

A BILL FOR AN ACT relating to public health; to define terms; to provide duties for the Department of Health and Human Services; to require employers to provide for a vaccine exemption; to provide for conditional requirements; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 37:

Aguilar Dorn Hilgers McDonnell Stinner
Albrecht Erdman Hilkemann Morfeld Walz
Arch Flood Hughes Moser Wayne
Bostelman Friesen Jacobson Murman Williams
Brandt Geist Kolterman Pahls Wishart
Brewer Gragert Lindstrom Pansing Brooks
Briese Halloran Linehan Sanders
Clements Hansen, B. Lowe Slama

Voting in the negative, 5:

Cavanaugh, J. Cavanaugh, M. Hansen, M. Hunt Lathrop

Present and not voting, 5:

Blood DeBoer McCollister McKinney Vargas
Excused and not voting, 2:

Bostar Day

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

GENERAL FILE

LEGISLATIVE BILL 848. Title read. Considered.
Committee AM1626, found on page 531, was adopted with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 1037. Title read. Considered.
Committee AM1887, found on page 570, was adopted with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 6 present and not voting, and 1 excused and not voting.

SPEAKER HILGERS PRESIDING

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 685, 700e, and 906e.

SENATOR HUGHES PRESIDING

GENERAL FILE

LEGISLATIVE BILL 717. Title read. Considered.

PRESIDENT FOLEY PRESIDING

Pending.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 304. Introduced by Murman, 38.

WHEREAS, the Nebraska State Association of Secondary School Principals annually selects a High School Principal of the Year; and
WHEREAS, Patrick Moore, principal of Blue Hill High School in Blue Hill, Nebraska, has been commended by his peers and students for demonstrating outstanding leadership in his school, region, and state; and
WHEREAS, Patrick has been selected as the 2021 High School Principal of the Year by the Nebraska State Association of Secondary School Principals; and
WHEREAS, Patrick was presented this award in a special assembly of students, teachers, and staff at Blue Hill High School on October 15, 2021; and
WHEREAS, the Legislature recognizes the value and hard work of educators in the State of Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Patrick Moore on being selected as the 2021 High School Principal of the Year.
2. That copies of this resolution be sent to Blue Hill High School and Patrick Moore.

Laid over.

LEGISLATIVE RESOLUTION 305. Introduced by DeBoer, 10; Hilgers, 21; Hughes, 44.

PURPOSE: The purpose of this resolution is to examine issues related to the personnel policies of the Legislature. This study shall include, but not be limited to, an examination and review of any policies governing personnel and conduct.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Executive Board of the Legislative Council shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

BILL ON FIRST READING

The following bills was read for the first time by title:

LEGISLATIVE BILL 1273A. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1273, One Hundred Seventh Legislature, Second Session, 2022.
AMENDMENT(S) - Print in Journal

Senator Geist filed the following amendment to LB750: AM1967 is available in the Bill Room.

Senator Wayne filed the following amendment to LB1037: AM2047 (Amendments to Standing Committee amendments, AM1887)

1. Insert the following new amendment:
2. On page 2, strike lines 7 through 10 and insert the following new subsection:
3. “(2) Within sixty days after the effective date of this act:
   4. (a) The Executive Board of the Legislative Council shall select an outside consultant with expertise in government procurement for the purpose of conducting such evaluation; and
   5. (b) The department shall enter into a contract with such consultant to conduct such evaluation. Such contract shall not be subject to any competitive bidding requirement.”.
6. 2. Renumber the remaining amendment accordingly.

EXPLANATION(S) OF VOTE(S)

Had I been present, I would have voted "aye" on final passage of LBs 685, 700e, and 906e.

(Signed) Jen Day

PRESENTED TO THE GOVERNOR

Presented to the Governor on February 25, 2022, at 10:24 a.m. were the following: LBs 685, 700e, and 906e.

(Signed) Jamie Leishman
Clerk of the Legislature's Office

GENERAL FILE

LEGISLATIVE BILL 717. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 6 nays, 8 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 1241. Title read. Considered.

Committee AM1898, found on page 578, was adopted with 46 ayes, 0 nays, 1 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.
LEGISLATIVE BILL 1173. Title read. Considered.

Committee AM1959, found on page 592, was offered.

Senator Arch offered the following amendment to the committee amendment:

AM2058

(Amendments to Standing Committee amendments, AM1959)

1 1. On page 1, line 27, after the semicolon insert "and".
2 2. On page 2, strike line 1; in line 2 strike "th" and insert "(g)"; and in line 28 strike "Supreme Court" and insert "state judicial branch to be".

The Arch amendment was adopted with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

Committee AM1959, as amended, was adopted with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 1173A. Title read. Considered.

Senator Arch offered the following amendment:

AM2051

1 1. Strike the original sections and insert the following new sections:
2 2. Section 1. There is hereby appropriated (1) $250,000 from the Federal Funds for FY2022-23 and (2) $250,000 from the Federal Funds for FY2023-24 to the Department of Health and Human Services, for Program 33, to aid in carrying out the provisions of Legislative Bill 1173, One Hundred Seventh Legislature, Second Session, 2022. The Federal Funds appropriated in this section are from the funds allocated to the State of Nebraska from the federal Coronavirus State Fiscal Recovery Fund pursuant to the federal American Rescue Plan Act of 2021, Public Law 117-2.
3 3. No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.
4 4. Since an emergency exists, this act takes effect when passed and approved according to law.

The Arch amendment was adopted with 46 ayes, 0 nays, 3 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 44 ayes, 0 nays, 3 present and not voting, and 2 excused and not voting.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 306. Introduced by Walz, 15; Bostar, 29; Brandt, 32; Brewer, 43; Cavanaugh, M., 6; Day, 49; DeBoer, 10; Dorn, 30;
WHEREAS, all individuals possess the basic human right to the preservation of personal dignity; and
WHEREAS, all individuals deserve the investment of the state's resources to ensure their lasting physical, mental, and emotional well-being; and
WHEREAS, post-traumatic stress can result from any number of stressors including combat, interpersonal violence, severe impact collisions, natural disasters, and exposure to the suffering of others; and
WHEREAS, the diagnosis known as Post-Traumatic Stress Disorder was initially formulated in 1980 by the American Psychiatric Association to commonly describe and categorize the psychological aftermath of severe traumatic distress; and
WHEREAS, post-traumatic stress has historically been unjustly portrayed as a mental illness caused by a preexisting flaw of character or ability, and association with the word "disorder" generates a stigma that perpetuates this misconception; and
WHEREAS, electro-magnetic imaging now shows that severe post-traumatic stress causes physical changes within the brain which are more accurately described as an injury than a disorder; and
WHEREAS, referring to post-traumatic stress as a disorder can disparage the injured and discourage them from seeking timely care for their behavioral health needs; and
WHEREAS, post-traumatic stress injury that is consistent with the description of post-traumatic stress disorder in section 309.81 criteria B through H of the Diagnostic Statistical Manual of Mental Disorders deserves equal compensation strictly matching that currently allowed under the law for post-traumatic stress disorder; and
WHEREAS, all citizens suffering from post-traumatic stress injury deserve our compassion and consideration and the brave men and women who received these wounds while risking their lives to protect our freedom, health, and welfare deserve special recognition of their bravery, commitment, devotion, and sacrifice; and
WHEREAS, timely access to appropriate treatment of post-traumatic stress injury can diminish complications and prevent suicide.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature recognizes June 2022 as Post-Traumatic Stress Injury Awareness Month and June 27, 2022, as Post-Traumatic Stress Injury Awareness Day in Nebraska.
2. That the Legislature encourages the Division of Public Health of the Department of Health and Human Services and the Nebraska Department of Veterans' Affairs to continue working to educate victims of interpersonal violence, combat, life-threatening accidents, and natural disasters, their
families, and the general public about the causes, symptoms, and treatment of post-traumatic stress injury.

Laid over.

**LEGISLATIVE RESOLUTION 307.** Introduced by Cavanaugh, M., 6; Cavanaugh, J., 9; Gragert, 40; Hansen, M., 26; Hughes, 44; Pansing Brooks, 28; Vargas, 7; Walz, 15; Wishart, 27.

WHEREAS, the Legislative personnel manual includes written policies on workplace harassment; and
WHEREAS, this document is not binding and not codified into law; and
WHEREAS, a recent complaint has been filed against a former sitting senator; and
WHEREAS, the staff of the Legislature does not have appropriate recourse for addressing workplace harassment; and
WHEREAS, the staff of the Legislature should be treated professionally; and
WHEREAS, the appropriateness of that policy is now in question; and
WHEREAS, the residents of Nebraska deserve representatives that behave in a respectful and accountable manner.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature hereby calls for the Executive Board of the Legislative Council to appoint a special committee of the Legislature to be known as the Special Ethics Investigative Committee of the Legislature.
2. That the committee shall consist of eight members of the Legislature which shall include an equal number of male and female members.
3. That the committee is hereby authorized to review the Legislature's workplace harassment policies including, but not limited to, requiring discussion and a vote of the full Legislature on the use and composition of a permanent special ethics committee to investigate workplace misconduct accusations. Additionally, the committee shall have authority to oversee any current workplace complaints made to the Executive Board, the Clerk of the Legislature, and the Affirmative Action Officer of the Legislature. The committee shall be authorized to request subpoena power as needed.

Laid over.

**UNANIMOUS CONSENT - Add Cointroducer(s)**

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

- Senator Vargas name added to LB717.
- Senator McDonnell name added to LB783.
- Senator Jacobson name added to LB788.
- Senator Friesen name added to LB1180.
Senator Friesen name added to LB1207.

VISITOR(S)

Visitors to the Chamber were High School students from Norfolk Senior High School; fourth-graders from Perkins County Schools; and eleventh- and twelfth-graders from Elkhorn South High School and their sponsor.

The Doctor of the Day was Dr. Pat Hotovy of York.

ADJOURNMENT

At 11:54 a.m., on a motion by Senator Wishart, the Legislature adjourned until 10:00 a.m., Monday, February 28, 2022.

Patrick J. O’Donnell
Clerk of the Legislature
THIRTY-THIRD DAY - FEBRUARY 28, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

THIRTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Monday, February 28, 2022

PRAYER

The prayer was offered by Senator Blood.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Arch.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator Day who was excused; and Senators M. Hansen and Morfeld who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Change Thirty-Second Day, "Thursday, February 24" to "Friday, February 25."
Page 647, line 18, strike "1137A" and insert "1173A".
The Journal for the thirty-second day was approved as corrected.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 939. Placed on Select File with amendment. ER109
1 1. On page 1, strike lines 2 through 4 and insert "77-2715.03.
2 Reissue Revised Statutes of Nebraska, and section 77-2734.02, Revised
3 Statutes Supplement, 2021; to change individual income and corporate tax
4 rates as prescribed; and to repeal the original sections.".

LEGISLATIVE BILL 925. Placed on Select File with amendment. ER108
1. On page 2, line 31, strike "Nebraska".
2. On page 4, line 6, strike the third comma; in line 22 strike 
   "City" and insert "city"; and in line 25 after "community" insert an 
   underscored comma.
3. On page 5, line 9, after "States" insert "Department of 
   Agriculture" and after "and" insert "the".

**LEGISLATIVE BILL 925A.** Placed on Select File.

(Signed) Terrell McKinney, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Kolterman filed the following amendment to LB767A:

**AM2076**

1. Strike the original section and insert the following new section:
2. Section 1. There is hereby appropriated (1) $172,930 from the 
   Department of Insurance Cash Fund for FY2022-23 and (2) $176,277 from the 
   Department of Insurance, for Program 69, to aid in carrying out the provisions of 
   Legislative Bill 767, One Hundred Seventh Legislature, Second Session, 2022.
3. Total expenditures for permanent and temporary salaries and per 
   diems from funds appropriated in this section shall not exceed $145,338 
   for FY2022-23 or $148,245 for FY2023-24.

**COMMITTEE REPORT(S)**

Natural Resources

**LEGISLATIVE BILL 1015.** Placed on General File.

**LEGISLATIVE BILL 1023.** Placed on General File with amendment. 

**AM1914** is available in the Bill Room.

(Signed) Bruce Bostelman, Chairperson

**RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LRs 297, 298, 299, and 300 were adopted.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, 
the President signed the following: LRs 297, 298, 299, and 300.

**MOTION(S) - Confirmation Report(s)**

Senator Lathrop moved the adoption of the Judiciary Committee report for 
the confirmation of the following appointment(s) found on page 607-608: 

Crime Victim's Reparations Committee
Gerald Randall (Rand) Hansen
The appointment was confirmed with 41 ayes, 0 nays, 2 present and not voting, and 6 excused and not voting.

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 592:

Nebraska Game and Parks Commission
Scott L. Cassels

Voting in the affirmative, 37:

Aguilar  Cavanaugh, J.  Hilkemann  McDonnell  Stinner
Albrecht  DeBoer  Hansen, B.  Hilgern  McDonnell  Vargas
Arch  Dorn  Hughes  McKinney  Walz
Blood  Erdman  Moser  Wayne
Bostelman  Flood  Koltermann  Murman  Wishart
Brandt  Friesen  Jacobson  Pahls
Brewer  Geist  Lathrop  Sanders
Briese  Gragert  Lindstrom  Slama
Cavanaugh, J.  Halloran  Linehan  Stinner

Voting in the negative, 1:

Erdman

Present and not voting, 8:
Excused and not voting, 3:

Day Hansen, M. Morfeld

The appointment was confirmed with 37 ayes, 1 nay, 8 present and not voting, and 3 excused and not voting.

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 593:

Nebraska Ethanol Board
Scott B. McPheeters
Taylor D. Nelson

Voting in the affirmative, 41:

Aguilar Clements Hansen, B. McCollister Stinner
Albrecht DeBoer Hilgers McDonnell Vargas
Arch Dorn Hilkemann McKinney Walz
Blood Erdman Hughes Moser Wayne
Bostar Flood Jacobson McKinney Williams
Bostelman Friesen Kolterman Pahls
Brandt Geist Lindstrom Pansing Brooks
Brewer Gragert Linehan Sanders
Cavanaugh, J. Halloran Lowe Slama

Voting in the negative, 0.

Present and not voting, 5:

Briese Cavanaugh, M. Hunt Lathrop Wishart

Excused and not voting, 3:

Day Hansen, M. Morfeld

The appointments were confirmed with 41 ayes, 0 nays, 5 present and not voting, and 3 excused and not voting.

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 613:

Nebraska Power Review Board
Bridget Troxel Peck

Voting in the affirmative, 41:
The appointment was confirmed with 41 ayes, 0 nays, 5 present and not voting, and 3 excused and not voting.

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 631:

Nebraska Oil and Gas Conservation Commission
Paul E. Strommen

Voting in the affirmative, 40:

Aguilar Clements Halloran Lindstrom Pahls
Albrecht DeBoer Hansen, B. Linehan Pansing Brooks
Arch Dorn Hilkenmann Lowe Slama
Blood Erdman Hughes McCollister Stinner
Bostar Flood Jacobson Moser Vargas
Bostelman Friesen Kolterman Murman
Brandt Geist Lathrop Pahls
Brewer Gragert Lindstrom Pansing Brooks
Cavanaugh, J. Halloran Linehan Sanders

Voting in the negative, 0.

Present and not voting, 6:

Bostar Cavanaugh, M. Wayne
Cavanaugh, J. Hunt Wishart

Excused and not voting, 3:
Day Hansen, M. Morfeld

The appointment was confirmed with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 631:
Nebraska Oil and Gas Conservation Commission
Dallen R. Juelfs

Voting in the affirmative, 41:

Aguilar Cavanaugh, J. Halloran Linehan Slama
Albrecht Clements Hansen, B. McCollister Stinner
Arch DeBoer Hilgers McDonnell Vargas
Blood Dorn Hilkemann McKinney Walz
Bostar Erdman Hughes Moser Williams
Bostelman Flood Jacobson Murman
Brandt Friesen Kolterman Pahls
Brewer Geist Lathrop Pansing Brooks
Briese Gragert Lindstrom Sanders

Voting in the negative, 0.

Present and not voting, 5:

Cavanaugh, M. Hunt Lowe Wayne Wishart

Excused and not voting, 3:

Day Hansen, M. Morfeld

The appointment was confirmed with 41 ayes, 0 nays, 5 present and not voting, and 3 excused and not voting.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 592.

A BILL FOR AN ACT relating to the Automated Medication Systems Act; to amend sections 71-2449 and 71-2451, Reissue Revised Statutes of Nebraska; to provide for use of automated medication distribution machines as prescribed; to change provisions relating to emergency doses and prescription requirements; and to repeal the original sections.
Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 46:

Aguilar
Albrecht
Arch
Blood
Bostar
Bostelman
Brandt
Brewer
Briese
Cavanaugh, J.
Cavanaugh, M.
Clements
DeBoer
Dorn
Erdman
Flood
Friesen
Geist
Gragert
Hansen, B.
Hansen, M.
Hilkemann
Hughes
Hunt
Jacobson
Lathrop
Lindstrom
Linehan
Lowe
McCollister
McDonnell
McKinney
Moser
Murman
Pahls
Pansing
Sanders
Slama
Stinner
Vargas
Walz
Wayne
Williams

Voting in the negative, 0.

Excused and not voting, 3:

Day

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

WITHDRAW - Motion to LB708

Senator M. Cavanaugh withdrew her motion, MO149, found on page 616, to bracket LB708 until April 20, 2022.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 708.

A BILL FOR AN ACT relating to law; to amend section 49-707, Reissue Revised Statutes of Nebraska; to eliminate a copyright requirement; to harmonize provisions; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 45:
Aguilar    Cavanaugh, J.    Halloran    Lindstrom    Pansing Brooks
Albrecht   Cavanaugh, M.   Hansen, B.   Linehan    Sanders
Arch       Clements       Hilgers       Lowe       Slama
Blood      Dorn           Hilkemann    McCollister  Stinner
Bostar     Erdman         Hughes       McDonnell   Vargas
Bostelman  Flood          Hunt         McKinney    Walz
Brandt     Friesen        Jacobson    Moser       Wayne
Brewer     Geist          Koltermann  Murman      Williams
Briese     Gragert        Lathrop     Pahls       Wishart

Voting in the negative, 0.

Present and not voting, 1:

DeBoer

Excused and not voting, 3:

Day       Hansen, M.    Morfeld

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 754.**

A BILL FOR AN ACT relating to schools; to amend section 79-10,110.03, Revised Statutes Supplement, 2021; to extend the commercial air filter pilot program; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Aguilar    Cavanaugh, J.    Hilgers       McCollister   Vargas
Albrecht   DeBoer          Hilkemann    McDonnell    Walz
Arch       Dorn            Hughes       McKinney     Wayne
Blood      Flood           Hunt         Moser        Williams
Bostar     Friesen         Jacobson    Murman       Wishart
Bostelman  Geist          Koltermann  Pansing Brooks
Brandt     Gragert         Lathrop     Sanders
Brewer     Halloran        Lindstrom   Slama
Briese     Hansen, B.     Linehan     Stinner
Present and not voting, 2:
Cavanaugh, M.  Pahls

Excused and not voting, 3:
Day Hansen, M.  Morfeld

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 758.**

A BILL FOR AN ACT relating to the Nebraska Farm-to-School Program Act; to amend sections 79-2902 and 79-2904, Revised Statutes Supplement, 2021; to define terms; to change provisions relating to the Nebraska farm-to-school program; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 46:

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<th>Aguilar</th>
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<th>Lowe</th>
<th>Stinner</th>
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<td>Cavanaugh, J.</td>
<td>Halloran</td>
<td>Linehan</td>
<td>Slama</td>
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</tbody>
</table>

Voting in the negative, 0.

Excused and not voting, 3:
Day Hansen, M.  Morfeld

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 892.**

A BILL FOR AN ACT relating to the Nebraska Real Estate License Act; to amend section 81-885.02, Reissue Revised Statutes of Nebraska, and sections 81-885.04 and 81-885.13, Revised Statutes Cumulative
Supplement, 2020; to change provisions relating to restrictions on unlicensed persons, applicability of the act, and broker's license applications; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 39:

Aguilar Briese Hansen, B. Linehan Sanders
Albrecht Cavanaugh, J. Hilgers McCollister Stinner
Arch Cavanaugh, M. Hilkemann McDonnell Vargas
Blood DeBoer Hunt McKinney Walz
Bostar Dorn Jacobson Moser Wayne
Bostelman Flood Kolterman Murman Williams
Brandt Friesen Lathrop Pahls Wishart
Brewer Gragert Lindstrom Pansing Brooks

Voting in the negative, 5:
Clements Erdman Halloran Lowe Slama

Present and not voting, 2:
Geist Hughes

Excused and not voting, 3:
Day Hansen, M. Morfeld

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**GENERAL FILE**

**LEGISLATIVE BILL 91.** Title read. Considered.

Committee **AM96**, found on page 398, First Session, 2021, was adopted with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.
MESSAGE(S) FROM THE GOVERNOR

February 28, 2022

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bill 906E was received in my office on February 25, 2022. This bill was signed and delivered to the Secretary of State on February 28, 2022.

Sincerely,
(Signed) Pete Ricketts
Governor

COMMITTEE REPORT(S)
Health and Human Services

LEGISLATIVE BILL 856. Placed on General File.

LEGISLATIVE BILL 1091. Placed on General File with amendment.

AM1875
1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Sections 1 to 6 of this act shall be known and may be
4 cited as the Nebraska Nursing Incentive Act.
5 Sec. 2. The Legislature finds and declares that:
6 (1) There is a nursing shortage in Nebraska. Nebraska will
7 experience a shortage of more than five thousand nurses by 2025. Seventy-
8 three of Nebraska's ninety-three counties have less than the national
9 average ratio of registered nurses to patients. Sixty-six counties in
10 Nebraska have been deemed medically underserved. Nine counties in
11 Nebraska have no registered nurses, and four counties have just one
12 registered nurse; and
13 (2) The nursing shortage affects both Nebraska's physical health and
14 its economic health. Lack of care impedes the ability of communities
15 throughout the state to attract and retain residents and the businesses
16 that employ them. The issue has only become more exacerbated during the
17 COVID-19 pandemic.
18 Sec. 3. For purposes of the Nebraska Nursing Incentive Act:
19 (1) Approved nursing program means a program that (a) is approved
20 pursuant to sections 38-2232 to 38-2236, (b) is offered by a public or
21 private postsecondary institution in Nebraska, and (c) consists of
22 courses of instruction in regularly scheduled classes leading only to an
23 associate degree, diploma, or certificate in nursing; and
24 (2) Department means the Department of Health and Human Services.
25 Sec. 4. The department shall administer a scholarship program under
26 the Nebraska Nursing Incentive Act and shall award scholarships to
27 students who qualify under section 5 of this act.
1 Sec. 5. (1) To qualify for a scholarship under the Nebraska Nursing
2 Incentive Act, a student shall (a) be a resident of Nebraska, (b) intend
3 to enroll or be enrolled in an approved nursing program, (c) intend to
4 practice as a licensed practical nurse, licensed registered nurse, or
5 nurse aide upon completion of the approved nursing program, and (d) agree
6 in writing to work for two years in this state as a licensed practical
7 nurse, licensed registered nurse, or nurse aide upon completion of the
8 approved nursing program.
9 (2) A student who meets the requirements of subsection (1) of this
10 section shall receive a scholarship of up to two thousand five hundred
11 dollars per semester.
12 Sec. 6. It is the intent of the Legislature to appropriate five
13 million dollars from Federal Funds for fiscal year 2022-23 to the
14 department to carry out the Nebraska Nursing Incentive Act. The Federal
15 Funds to be appropriated are from funds allocated to the State of
16 Nebraska from the federal Coronavirus State Fiscal Recovery Fund pursuant
18 Subtitle M, Sec. 9901.

The Health and Human Services Committee desires to report favorably
upon the appointment(s) listed below. The Committee suggests the
appointment(s) be confirmed by the Legislature and suggests a record vote.

Cheryl Livingston - Commission for the Blind and Visually Impaired
Linda Mentink - Commission for the Blind and Visually Impaired

Nay: 0. Absent: 0. Present and not voting: 0.

The Health and Human Services Committee desires to report favorably
upon the appointment(s) listed below. The Committee suggests the
appointment(s) be confirmed by the Legislature and suggests a record vote.

Richard L. Wiener - Foster Care Advisory Committee

Nay: 0. Absent: 0. Present and not voting: 0.

The Health and Human Services Committee desires to report favorably
upon the appointment(s) listed below. The Committee suggests the
appointment(s) be confirmed by the Legislature and suggests a record vote.

Peggy A. Williams - Commission for the Deaf and Hard of Hearing

Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) John Arch, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 308. Introduced by McDonnell, 5.
WHEREAS, over one hundred nine thousand health care workers that care for the sick and injured are employed in Nebraska; and
WHEREAS, Nebraska's health care workers are stewards of good health; and
WHEREAS, Nebraska's health care workers are always there in times of need for emergencies, lifesaving treatments, life-enhancing education, welcoming new lives into the world, and helping patients and families at the end of life; and
WHEREAS, the contributions of Nebraska's health care workers to their communities have been invaluable throughout the global pandemic; and
WHEREAS, Nebraska's health care workers have gone above and beyond in caring for patients in the face of great personal risk, often putting the workers' own lives in harm's way, and loss of time with family; and
WHEREAS, Nebraska's health care workers contribute to the quality of life and health of Nebraskans, going well beyond the walls of hospitals; and
WHEREAS, Nebraska owes a profound debt of gratitude to its health care workers and their families; and
WHEREAS, Health Care Workers Appreciation Week is meant to show doctors, nurses, and everyone that works in Nebraska's health care system that their passion and hard work is noticed, valued, and respected.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature recognizes February 28, 2022, through March 4, 2022, as Health Care Workers Appreciation Week.
2. That the Legislature urges businesses and individuals to participate in Health Care Workers Appreciation Week by displaying white ribbons in their windows or yard, lighting up businesses in white or leaving the lights on, conducting an act of kindness for a health care worker, or sharing a simple "thank you".
3. That the Legislature encourages all members of our state to express appreciation to Nebraska's health care workers for their dedication and devotion to their work.

Laid over.

LEGISLATIVE RESOLUTION 309. Introduced by Murman, 38.

WHEREAS, Future Farmers of America (FFA) is a dynamic youth organization that changes lives and prepares members for premier leadership, personal growth, and career success through agricultural education; and
WHEREAS, FFA held its ninety-fourth National Convention & Expo in Indianapolis, Indiana on October 27, 2021, through October 30, 2021; and
WHEREAS, each year at the convention, four FFA members are honored with American Star Awards for outstanding accomplishments in FFA and agricultural education, and these awards are presented to FFA members who
demonstrate outstanding agricultural skills and competencies through completion of a supervised agricultural experience; and

WHEREAS, Grady Johnson graduated from Holdrege High School in Holdrege, Nebraska and was a member of the FFA chapter there; and

WHEREAS, Grady successfully completed a supervised agricultural experience, demonstrated top management skills, completed key agricultural education, scholastic, and leadership requirements, and earned an American FFA Degree, the highest level of student accomplishment of the FFA; and

WHEREAS, Grady was named American Star Farmer at the convention; and

WHEREAS, the Legislature recognizes the achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Grady Johnson on being named American Star Farmer for 2021 by the Future Farmers of America.
2. That copies of this resolution be sent to Holdrege High School, agriculture education teacher Jeff Moore, and Grady Johnson.

Laid over.

CONFlict OF INTEREST STATEMENT

Pursuant to Rule 1, Sec. 19, Senator Wishart has filed a Potential Conflict of Interest Statement under the Nebraska Political Accountability and Disclosure Act. The statement is on file in the Clerk of the Legislature's Office.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 592, 708, 754, 758, and 892.

GENERAL FILE

LEGISLATIVE BILL 59. Title read. Considered.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 75. Title read. Considered.

Committee AM341, found on page 492, First Session, 2021, was adopted with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 45 ayes, 0 nays, 2 present
and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 705.** Title read. Considered.

Committee AM1653, found on page 483, was adopted with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 1148.** Title read. Considered.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 971.** Title read. Considered.

Advanced to Enrollment and Review Initial with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 691.** Title read. Considered.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 5 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 1178.** Title read. Considered.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 8 present and not voting, and 2 excused and not voting.

**PRESENTED TO THE GOVERNOR**

Presented to the Governor on February 28, 2022, at 11:00 a.m. were the following: LBs 592, 708, 754, 758, and 892.

(Signed) Jamie Leishman  
Clerk of the Legislature's Office

**COMMITTEE REPORT(S)**  
Agriculture

The Agriculture Committee desires to report that the committee voted not to confirm the appointment(s) listed below. The Committee suggests the appointment(s) be rejected by the Legislature and suggests a record vote.

Terry L. Cone - Nebraska Brand Committee

AMENDMENT(S) - Print in Journal

Senator Friesen filed the following amendment to LB750:

1. On page 18, line 26, strike the new matter; in line 27 strike the
disparaging and "(a) Six" and reinstate the stricken "six"; in line 28
3 strike the new matter and reinstate the stricken matter; and strike lines
4 29 and 30.
5 2. On page 19, line 17, strike "twenty-five" and reinstate the
6 stricken "fifty"; and in line 19 strike "Five dollars" and insert "Four
7 dollars and twenty-five cents".

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 850. Placed on General File.
LEGISLATIVE BILL 917. Placed on General File.

LEGISLATIVE BILL 951. Indefinitely postponed.
LEGISLATIVE BILL 1272. Indefinitely postponed.

SELECT FILE

LEGISLATIVE BILL 847. ER104, found on page 573, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 567. ER107, found on page 573, was adopted.

Senator B. Hansen offered the following amendment:

1. On page 2, line 31, strike "October 1," show as stricken, and
insert "the effective date of this act".
3.2. On page 3, line 1, strike the new matter.
4.3. On page 4, line 5, strike "October 1, 2021" and insert "the
5 effective date of this act".

The B. Hansen amendment was adopted with 37 ayes, 0 nays, 10 present
and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 749. Advanced to Enrollment and Review for
Engrossment.
LEGISLATIVE BILL 704. ER106, found on page 576, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 786. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 791. Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 1236. Title read. Considered.

Committee AM1986, found on page 619, was adopted with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 7 present and not voting, and 3 excused and not voting.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 717. Placed on Select File.

LEGISLATIVE BILL 1037. Placed on Select File with amendment.

ER110

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. (1) The Department of Administrative Services shall
4 contract for the completion of an evaluation of the state's procurement
5 practices. The evaluation shall analyze past procurement challenges and
6 address potential areas for improvement, including, but not limited to:
7 (a) Due diligence, (b) evaluation of cost, (c) accountability for
8 decisionmaking, and (d) protest procedures.
9 (2) The department shall contract with an outside consultant with
10 expertise in government procurement within sixty days after the operative
11 date of this section for the purpose of conducting such evaluation. Such
12 contract shall not be subject to any competitive bidding requirement.
13 (3) The evaluation shall be completed with input from (a) the
14 chairpersons of the Government, Military and Veterans Affairs Committee
15 of the Legislature and the Health and Human Services Committee of the
16 Legislature and other members of the Legislature as such chairpersons
17 deem appropriate, (b) the Department of Health and Human Services, and
18 (c) any other using agencies, as defined in section 81-145, deemed
19 appropriate to participate by the Department of Administrative Services.
20 (4) The Department of Administrative Services shall electronically
21 submit a report with the results of the evaluation to the Legislature and
22 the Governor on or before November 15, 2022. Such report shall include
23 recommendations for improvements to the state's procurement policies and
24 practices.
25 Sec. 2. Section 81-153, Reissue Revised Statutes of Nebraska, is
26 amended to read:
27 81-153 The materiel division shall have the power and duty to:
1 (1) Purchase or contract for, in the name of the state, the personal
2 property required by the using agencies and the state;
3 (2) Promulgate, apply, and enforce standard specifications
4 established as provided in section 81-154;
5 (3)Sell and dispose of personal property that is not needed by the
6 state or its using agencies as provided in section 81-161.04 or initiate
7 trade-ins when determined to be in the best interest of the state;
8 (4) Determine the utility, quality, fitness, and suitability of all
9 personal property tendered or furnished;
10 (5) Make rules and regulations consistent with sections 81-145 to
11 81-171 and 81-1118 to 81-1118.06 to carry into effect the provisions
12 thereof. Such rules and regulations shall include provisions for
13 modifying and terminating purchase contracts and the cost principles to
14 be used in such modification or termination;
15 (6) Employ such clerical, technical, and other assistants as may be
16 necessary to properly administer such sections, fix their compensation,
17 and prescribe their duties in connection therewith, subject to existing
18 laws and appropriations;
19 (7) Allow the purchase of personal property without competitive
20 bidding when the price has been established by the federal General
21 Services Administration or to allow the purchase of personal property by
22 participation in a contract competitively bid by another state or group
23 of states, a group of states and any political subdivision of any other
24 state, or a cooperative purchasing organization on behalf of a group of
25 states. The division may also give consideration to a sheltered workshop
26 pursuant to section 48-1503 in making such purchases;
27 (8) Enter into any personal property lease agreement when it appears
28 to be in the best interest of the state and
29 (9) Negotiate purchases and contracts when conditions exist to
30 defeat the purpose and principles of public competitive bidding; and .
31 (10) Obtain an electronic procurement system, which shall be funded
1 or paid for by providing the system provider with, as determined by the
2 materiel administrator, a percentage or portion of identified
3 transactions. Such percentage or portion may be collected by the system
4 provider from contractors and bidders.
5 Sec. 3. Section 81-1120, Reissue Revised Statutes of Nebraska, is
6 amended to read:
7 81-1120 (1) There is hereby created the Materiel Division Revolving
8 Fund. The fund shall be administered by the materiel division of the
9 Department of Administrative Services. The fund shall consist of (a) fees
10 paid for printing, copying, central supply, and mailing services provided
11 to state agencies and local subdivisions by the division, and (b)
12 assessments charged by the materiel administrator to state agencies,
13 boards, and commissions for purchasing services provided by the division,
14 and (c) any money collected pursuant to subdivision (10) of section
15 81-153. Such assessments shall be adequate to cover actual and necessary
16 expenses that are associated with providing the service and not otherwise
17 covered by the money collected pursuant to subdivision (10) of section
18 81-153. The fund shall be used to pay for expenses incurred by the
19 division to provide such services.
20 (2) State agencies, boards, and commissions shall make the materiel
21 division assessment payments to the fund no later than August 1 of each
22 year, or in four equal payments to be made no later than August 1,
23 October 1, February 1, and April 1 of each year, at the discretion of the
24 materiel administrator.
25 (3) Any money in the fund available for investment shall be invested
26 by the state investment officer pursuant to the Nebraska Capital
27 Expansion Act and the Nebraska State Funds Investment Act.
THIRTY-THIRD DAY - FEBRUARY 28, 2022

28 Sec. 4. Sections 2, 3, and 5 of this act become operative three
29 calendar months after the adjournment of this legislative session. The
30 other sections of this act become operative on their effective date.
31 Sec. 5. Original sections 81-153 and 81-1120, Reissue Revised
1 Statutes of Nebraska, are repealed.
2 Sec. 6. Since an emergency exists, this act takes effect when
3 passed and approved according to law.
4 2. On page 1, strike lines 2 and 3 and insert “to amend sections
5 81-153 and 81-1120, Reissue Revised Statutes of Nebraska; to require an
6 evaluation of the state's procurement practices; to change powers and
7 duties of the materiel division and provisions relating to the Materiel
8 Division Revolving Fund; to provide operative dates; to repeal the
9 original sections; and to declare an emergency.”.

LEGISLATIVE BILL 848. Placed on Select File.
LEGISLATIVE BILL 767A. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 310. Introduced by Lindstrom, 18; Hansen, B., 16.

WHEREAS, Mr. Vincent Einar Lindstrom was born on August 26, 1926, in Oakland, Nebraska; and
WHEREAS, Vincent graduated from Oakland High School at the age of sixteen; and
WHEREAS, Vincent was called to duty with the United States Army
235th Division in January 1951 and served his country honorably; and
WHEREAS, Vincent, following his service in the United States Army, settled in Burt County, Nebraska, raising six children while farming the land and later enjoying the company of fourteen grandchildren and seven great grandchildren; and
WHEREAS, Vincent has been a lifelong member of the First Lutheran Church; and
WHEREAS, Vincent served as a past school board member, and a past member of the Viking Lodge in Oakland and was the Oakland Swedish Festival King in 2011; and
WHEREAS, Vincent continues to be a role model for the Oakland community, volunteering for many organizations, including the Burt County Fair, the Golden Oaks Senior Center, and the Oakland Heights Nursing Home where he performs on the piano for residents. He is a self-taught pianist that learned at the young age of eighty-five.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE
ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND
SESSION:
1. That the Legislature expresses gratitude to Mr. Vincent Lindstrom for his many years of service to his country, his community, and the State of Nebraska and congratulates him on his ninety-fifth birthday.
2. That a copy of this resolution be sent to Mr. Vincent Lindstrom.
ATTORNEY GENERAL'S OPINION

Opinion 22-002

SUBJECT: Constitutionality of Legislation Providing for the Sale and Reacquisition of Educational Lands by the State Board of Educational Lands and Funds Under Certain Circumstances and Conditions (LB 711).

REQUESTED BY: Senator Lynne Walz
Nebraska State Legislature

WRITTEN BY: Douglas J. Peterson, Attorney General
John L. Jelkin, Assistant Attorney General

INTRODUCTION

LB 711 (2022) proposes to require the State Board of Educational Lands and Funds ["Board"] to sell school lands to lessees for economic development, provided that the buyer increases the appraised value of the land by double sometime during a five-year period after purchase. The bill provides that school lands shall be sold pursuant to public auction to the lessee or someone else who is willing to enter into an agreement to increase the land by double sometime during a five-year period after the sale. LB 711 further provides that, should the successful buyer fail to double the appraised value of the land, the Board shall reacquire the land at the land's appraised value based upon its current use rather than the land's fair market value. Additionally, LB711 provides that the Board may not sell tracts of land smaller than 40 acres.

Your opinion request letter expresses concerns that LB 711:

1. Permits the Board to sell school lands only when the purchaser intends to use the land for economic development;

2. Requires that the appraised value of the school lands to be sold shall be based on the "current use" of the land and not the highest and best use of the land;
3. Limits the Board's ability to sell tracts smaller than 40 acres, or to allow tracts smaller than 40 acres remaining after sale;

4. Requires the Board to sell a property upon the request of a lessee within 120 days after the board's acceptance of the agreement; and

5. Requires the Board to reacquire school lands if the valuation goals are not met by the purchaser within five years.

With respect to these concerns, you ask us to address whether these provisions unconstitutionally hamper and limit the Board's ability to fulfill its fiduciary duty to manage the Board's property for the benefit of the State's school children.

BACKGROUND

On April 19, 1864, the U.S. Congress passed, and President Abraham Lincoln signed the Enabling Act. (U.S. Stat. at Large, Vol. 13, p. 47.) The Enabling Act allowed the people of Nebraska to form a Constitution and State Government and granted the State of Nebraska admission into the Union on an equal footing with the original States. Section 7 of the Enabling Act provides:

And be it further enacted, that sections number sixteen and thirty-six in every township . . . ., shall be, and are hereby granted to said State for the support of the common schools. (U.S. Stat. at Large, Vol. 13, p. 47).

Thereafter, the people of Nebraska did form a Constitution and State Government and by proclamation of then President Andrew Johnson, the State of Nebraska was admitted to the Union on March 1, 1867.

Neb. Const. art. VII, § 6, provides, in relevant part:

No lands now owned or hereafter acquired by the state for educational purposes shall be sold except at public auction under such conditions as the Legislature shall provide. The general management of all lands set apart for educational purposes shall be vested, under the direction of the Legislature, in a board of five members known as the Board of Educational Lands and Funds.

The Nebraska Supreme Court has long recognized that "[t]he public school lands of the state are trust property and the state is required to
administer them as such for the benefit of the common schools of the state."

State ex rel. Ebke v. Board of Educ. Lands and Funds, 154 Neb. 244, 247, 47 N.W.2d 520, 522 (1951) ["Ebke"]. The Court in Ebke recognized that

[b]y constitutional provision the lands set aside for the support of schools by the federal government are held in trust by the state. . . . These lands, therefore, are subject to the rules of law applicable to the handling of trust estates because of the status assigned to them by the Constitution. Id. at 248, 47 N.W.2d at 522-23.

Discussing the authority of the Legislature to provide for the sale of school lands, the Ebke Court stated:

That the Legislature has the power to provide the method of administering the public school lands of the state as a trust is not subject to question. But the method provided must be one which is within the law governing the administration of trust estates. The designation of these lands as a trust in the Constitution has the effect of incorporating into the constitutional provision the rules of law regulating the administration of trusts and the conduct and duties of trustees. A breach of trust in such a situation is in effect a violation of the constitutional provision and has the effect of invalidating the legislation authorizing the breach. Id. at 254-55, 47 N.W.2d at 525.

The fiduciary duty placed on the administration of educational lands was also recognized in Propst v. Board of Educ. Lands and Funds, 156 Neb. 226, 233-34, 55 N.W.2d 653, 657 (1952), where the Court stated:

The school lands were received and are held in trust by the State of Nebraska for Educational purposes. The state as trustee of the lands and of the income therefrom is required to administer the trust estate under the rules applicable to trustees acting in a fiduciary capacity. The title of the lands is not vested in the state with all of the ordinary incidents of other titles, but the title thereto was granted to and vested in the state upon an express trust for the 'support of common schools' with no right or power of the state to use, dispose of, or alienate the lands or any part thereof, except as allowed by the Enabling Act and the Constitution.

In Op. Att'y Gen. No. 91052 (June 7, 1991), this office summarized these principles as follows:

[I]t is within the authority of the Legislature to direct the sale of public school lands under such conditions as the Legislature shall provide. It must be noted however, the general management of the lands is vested in
the Board of Educational Lands and Funds . . . The power of the Legislature to direct the sale of educational lands is not without limits. In directing the sale of trust property, the Legislature may not require the sale in a manner which would cause the Board to violate the fiduciary duties which bind the management of educational lands by the Board. . . . Consequently, the State as trustee of the lands and of the income therefrom, is required to administer the trust estate under the rules of law applicable to trustees acting in a fiduciary capacity.

ANALYSIS

Considering this background, we will proceed to examine each of your concerns regarding the constitutionality of LB 711.

1. Is it constitutional to limit sales of school land to purchasers that intend to use the land for economic development?

Response: No.

LB 711, Section 2 provides that "[t]he Board of Educational land and funds shall review and set priorities for the sale of lands covered by leases expiring each year, giving the highest priority to those lands which it determines, considering all relevant factors, can be sold to the best advantage for purposes of economic development." (emphasis added).

The most obvious concern about this provision is that it violates the state's duty as trustee to act solely in the best interests of the beneficiaries of the trust. See Neb. Rev. Stat. § 30-3867(a) (2016) ("A trustee shall administer the trust solely in the interests of the beneficiaries.") (emphasis added). In this case, the beneficiaries are the children of the common schools.

LB 711, Section 3 appears to change Nebraska law to permit the sale of school lands only if the purchaser agrees to use the land for "economic development." Sections 1, 2, 3 and 4. The original language of this section generally authorizes sales of school land. The proposed language appears to provide that all sales of school lands are limited to those purchasers who intend to use the land for economic development and who are willing to enter into an agreement to develop the land for economic development and double the appraised value of the land within five years. This provision restricts the Board from selling to anyone else who intends to use the land for farming, ranching or any other purpose that does not constitute economic development. By limiting the pool of prospective bidders, LB 711 results in the Board receiving less money than the property might otherwise bring when all prospective bidders are permitted to participate in the bidding. "A trustee is required to dispose of trust property upon the
most advantageous terms which it is possible for him to secure for the benefit of the cestui que trust whom he represents." Ebke, 154 Neb. at 249, 47 N.W.2d at 523. "The duty of loyalty requires a trustee to administer the trust solely in the interests of the beneficiaries. In re Estate of Stuchlik, 289 Neb. 673, 688, -857 N.W.2d 57, 69 (2014). Limiting the sale of school lands to only buyers that propose to use the land for economic development violates the state's duty of loyalty to the beneficiaries of the trust.

Further, the "[s]tate, as trustee of public school lands, is without power through legislative means or otherwise to bestow a special benefit upon any person or corporation, public or private, at the expense of the cestui que trust, the public school system of the state." State Bd. of Educational Lands and Funds v. Jarchow, 219 Neb. 88, 99, 362 N.W.2d 19, 26 (1985) (quoting State v. Platte Valley Public Power and Irr. Dist., 143 Neb. 661, 664, 10 N.W.2d 631, 633 (1943) (emphasis in original)). LB 711's requirement that school lands be sold only for economic development benefits the developer of the lands, and it does so at the expense of the cestui que trust. In other words, it violates the state's duty of loyalty as a trustee of the school lands by bestowing a benefit on a developer at the expense of the education of the state's school children. If the school lands can be developed and their value doubled within five years, the opportunity to develop the property and benefit from the increase in value belongs to the trust, not a third-party purchaser.

Again, the lands set aside for the public schools "by Constitution and congressional act, belong to the public school system of the state and the state is but the trustee thereof." State ex rel. Johnson v. Central Neb. Public Power & Irr. Dist., 143 Neb. 153, 167, 8 N.W.2d 841, 849 (1943). The state, under the guise of economic development, cannot transfer the benefit of developing school lands from the trust to a private developer. The state as trustee owes a duty to the beneficiaries to maximize the income and value of the trust. It may not choose economic development over judicious administration of the assets for the benefit of the trust.

2. Is it constitutional to require that the appraised value of the school land to be sold must be based on the "current use of the land" rather than the "highest and best use" of the property?

Response: No.

The bill provides that that the "appraised value" of school lands subject to sale is to be determined based on the "current use of the land." LB 711, Section 1. The bill eliminates language currently in § 72-257 providing that school land sold at public auction "may be appraised for purposes of sale in the same manner as privately owned land by a certified general real property
The appraiser appointed by the board...." *Id.* The bill does not define what "current use of the land" means or how an appraisal is to be made based on such use.

It is our understanding that a valuation based on the current use of property is considered a hypothetical condition or restricted use for valuation purposes. Such valuation method does not arrive at the highest and best use which determination is necessary to obtain the fair market value of the land. The net effect of using a hypothetical condition or restricted use is to value the property at less than its fair market value. A reduced valuation gives the prospective buyer a benefit at the expense of the trust.

"All actions of the trustee must be in the interest of the beneficiaries and no one else." *In re William R. Zutavern Revocable Trust*, 309 Neb. 542, 557, 961 N.W.2d 807, 820-21 (2021). Requiring a valuation and sale of trust property based on the "current use of the land" rather than the fair market value of the land constitutes a breach of the fiduciary duties of a trustee to act in the best interests of the trust.

In a 2014 decision, the Nebraska Court of Appeals found that a trustee breached his fiduciary duty to beneficiaries by failing to ascertain the fair market value of trust property prior to the sale, failing to promptly offer the property for public sale, and mistakenly giving one beneficiary an opportunity to purchase the property under the assumption that she had an active option. *In re Louise V. Steinhefelf Trust*, 22 Neb. App. 293, 854 N.W.2d 792 (2014). The court noted that "[a] breach of trust includes every omission or commission which violates in any manner the obligation of carrying out a trust according to its terms." *Id.* at 299, 854 N.W.2d at 799.

The highest and best use of real estate is the valuation method generally accepted, and used, by real estate appraisers. Valuation of school lands based on "current use of the land" would exclude from consideration any value of the trust property due to future development value, location, and other unique characteristics of the property. This would result in the trust receiving less than the fair market value of school land, and essentially surrenders any added value to the buyers, to the detriment of the trust.

Finally, LB 711, Section 6 amends Neb. Rev. Stat. § 72-258.02 to state "appraised value means the value as determined by a certified general real property appraiser in the same manner as the value is determined for privately owned land." As a practical matter, we do not believe a certified general real property appraiser would be able to render an appraisal based on the "current use" of the property. Rather, a certified general real property appraiser is required to consider other factors to determine the property's
fair market value based on its highest and best use and would likely decline to render an appraisal based only on the "current use" of the property.

3. Is it constitutional to limit the Board's ability to sell tracts smaller than 40 acres, or which results in tracts smaller than 40 acres remaining after sale?

Response: No.

LB 711, Section 2 appears to preclude the Board from selling any property of less than 40 acres or to prohibit dividing land to be sold if it results in a tract of less than 40 acres remaining unsold. We have been advised that the Board presently owns many parcels of less than 40 total acres. LB 711 appears to prohibit the Board from selling any of those parcels, for any reason, at any price. We have been informed that the Board currently sells small, orphaned parcels split off from the main property by a highway. Those parcels are usually less than 40 acres. Although the Board pays taxes on these smaller parcels, the Board typically cannot rent or otherwise use those parcels.

While selling these small tracts may be in the best interests of the trust, LB 711 prohibits the Board from doing so to the detriment of the beneficiaries of the trust. Additionally, this provision would prevent the Board from developing properties next to communities or golf courses, dividing them into lots, etc., and selling them to the trust's best advantage. Additionally, it would prevent the Board from selling off acreages, pivot corners, or farmsteads, even if such sales would be in the best interests of the Trust. We believe this prohibition would prevent the Board from meeting its fiduciary obligation to maximize the income and value of the trust's assets.

4. Is it constitutional to require that the Board sell a property upon the request of a lessee within 120 days after the board's acceptance of the agreement?

Response: No.

LB 711, Section 3 appears to allow a present lessee to force the sale of any tract of school land (not just the tract the tenant is currently leasing) within 120 days. LB 711 does not provide any exception for existing leases nor does it allow the delay of the sale to coincide with the termination of the lease presently on the property. This provision would require the Board to terminate current leases early. This may result in litigation against the Board based on a breach of contract. This provision removes the Board's
discretion in these cases even though such action may not be in the best interests of the Trust.

Requiring the sale of school lands within 120 days after the request of a lessee hampers the Board's ability to exercise reasonable care and due caution in violation of the Board's duties as a trustee. "A trustee shall administer the trust as a prudent person would, by considering the purposes, terms, distributional requirements, and other circumstances of the trust. In satisfying this standard, the trustee shall exercise reasonable care, skill, and caution." Neb. Rev. Stat. § 30-3869 (2016). This duty includes the ability to decide if, and when, trust assets should be sold. To require a sale at the discretion of the tenant infringes on the Board's duties as a trustee of the school lands.

In 1949, our office was asked if the state could amend the statutes governing the sale of school lands to grant a preference to the leaseholder to purchase the lands at the highest bid made at public auction. 1949-50 Rep. Att'y Gen. 83 (Feb. 7, 1949). In that opinion, we stated:

To grant a special privilege to the lessee to purchase the lands at the highest bid would not be a sale to the highest and best bidder since the phase "public auction" as used in our Constitution, and as above defined, clearly contemplates that the one who make the highest and best bid would receive title to the real estate free from the right of any other person to take the benefit of his bid from him simply by equaling the amount of his bid. Id.

Finally, "a trustee owes beneficiaries of a trust his undivided loyalty and good faith, and all of his acts as trustee must be in the interests of the cestui que trust and no one else." Ebke, 154 Neb. 244, 249, 47 N.W.2d at 523. This provision in LB 711 acts to thwart the Board's fiduciary duty of loyalty and good faith to the best interests of the beneficiaries and only the beneficiaries.

5. Is it constitutional to require the Board to "reacquire" certain property if the goals were not met by the purchaser?

Response: No.

LB 711, Section 3 requires that the successful bidder enter into an agreement to improve or develop the land within one year after date of purchase. The section further provides that, if the appraised value of the land is not twice as much as the purchase price at some point within five years after the date of purchase, the Board "shall take all actions necessary to reacquire such land for the State of Nebraska as educational land" and
"shall pay the purchaser the appraised value for the land...determined as of the date of the failed condition." *Id.*

"The Legislature is authorized to provide by statute the terms upon which the public school lands of the state may be sold, but such terms must be consonant with the duties and functions of a trustee acting in a fiduciary capacity. It is the duty and function of a trustee to avoid unnecessary risks of loss and at the same time to obtain a maximum return to the trust estate consistent with the avoidance of such risks." *Banks v. State*, 181 Neb. 106, 123,147 N.W.2d 2d 132, 141 (1966) (J. Carter, concurring). "A trustee shall administer the trust as a prudent person would, by considering the purposes, term, distributional requirements, and other circumstances of the trust. In satisfying this standard, the trustee shall exercise reasonable care, skill and caution." Neb. Rev. Stat. § 30-3869 (2016). Also, "[a] trustee shall take reasonable steps to take control of and protect the trust property." Neb. Rev. Stat. § 30-3874 (2016).

The reacquisition requirement in LB 711 violates the State's duty to properly administer school lands in a prudent manner as it prevents the Board from considering whether such acquisition is in the best interests of the Trust. For example, it would be a violation of the Board's fiduciary duty if it is required to assume ownership of a "development" that was a failed attempt at economic development. The property in such a failed venture could be abandoned or damaged. A trustee should not be forced to accept contaminated or otherwise undesirable property. Additionally, it would be a breach of fiduciary duty for the Board to reacquire a failed going concern if the Board lacked the ability to properly manage the going concern. It would not be a reasonable step for a trustee to accept lands that are a liability and constitute a drain on trust assets.

Finally, under current law, the Board is without funds or authority to reacquire the property from the buyer. Neb. Rev. Stat. § 79-1035.02 (2014) requires that income funds be placed in the temporary school fund which are then distributed to the common schools. The entire balance of the temporary school fund shall be used exclusively for the maintenance and support of the common schools. The expenditure of the Trust's regular income is governed by Neb. Rev. Stat. §§ 72-232.02, 77-232.03, 77-232.04, 77-232.06, 77-232.07, and 77-240.08 (2018). None of these sections authorize the Board to expend funds to reacquire school lands.

Neb. Rev. Stat. § 79-1035.01 (2014) requires that proceeds from land sales be deposited in the permanent school fund and invested in perpetuity in trust for the benefit of the common schools. Regarding the deposit of sale proceeds in the permanent fund, that issue is governed by Neb. Rev. Stat. §§ 72-259(2) and 72-268 (2018). There are no statutes empowering
the Board to withdraw funds from the permanent fund to reacquire school lands. Thus, the Board is without authority to use the money from either fund to reacquire the land from the buyer.

CONCLUSION

For the reasons stated above, we conclude that LB 711 is unconstitutional in several respects. The proposed legislation would encroach on the Board's duties as trustee to administer the school lands. As written, LB 711 would violate the fiduciary duties placed on the state by the constitution.

Sincerely yours,
DOUGLAS J. PETERSON
Attorney General
(Signed) John L. Jelkin
Assistant Attorney General

pc: Patrick J. O'Donnell
Clerk of the Nebraska Legislature

25-421-30

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Aguilar name added to LB773.
Senator Jacobson name added to LB783.
Senator J. Cavanaugh name added to LB921.
Senator M. Hansen name added to LB1173.
Senator Blood name added to LB1241.
Senator Bostar name added to LB1241.
Senator M. Hansen name added to LR305.

VISITOR(S)

Visitor to the Chamber was Don Lease, Banner County.

The Doctor of the Day was Dr. Theresa Hatcher of Omaha
ADJOURNMENT

At 11:56 a.m., on a motion by Senator McCollister, the Legislature adjourned until 9:00 a.m., Tuesday, March 1, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
THIRTY-FOURTH DAY - MARCH 1, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

THIRTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 1, 2022

PRAYER

The prayer was offered by Reverend Darin Corder, Bennet Community Church, Bennet.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Blood.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Hilgers presiding.

The roll was called and all members were present except Senators Briese, M. Cavanaugh, Friesen, B. Hansen, and Stinner who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-third day was approved.

COMMITTEE REPORT(S)

Natural Resources

LEGISLATIVE BILL 1045. Placed on General File with amendment.

AM2081
1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. (1) For purposes of this section;
4 (a) Base load means the minimum amount of electric power delivered
5 or required over a given period of time at a steady, continuous rate;
6 (b) Base load capacity means the electric generating equipment
7 normally operated to serve electric power loads on a continuous, around-
8 the-clock basis;
9 (c) Base load unit means a plant, usually housing high-efficiency
10 steam-electric units, which is normally operated to take all or part of
the base load of an electric system, capable of producing more than one
hundred megawatts of electricity at an essentially constant rate and
running continuously, and which maximizes system mechanical and thermal
efficiency and minimizes system operating costs; and
Public power supplier means a public power district, public
power and irrigation district, or any other governmental entity providing
electric service. Public power supplier includes a municipal electric
utility.
(2) Any public power supplier that retires or permanently shuts down
a base load unit, or switches fuel which reduces the base load capacity
of a base load unit, before the expiration of its license or the end of
its operational or useful life, as approved by the Nebraska Power Review
Board in its discretion, shall:
Pay a severance to any permanent employee employed at such base
load unit who is terminated or laid off as a result of such retirement,
shutdown, or reduction for a period of five years at the same rate of pay
received by such employee on the employee's termination or lay-off date;
and
Remit payment of a fee of fifty million dollars to the county
treasurer of the county in which such base load unit is located, such
amount to be allocated to the taxing subdivisions in the county in the
same proportion that payments in lieu of taxes made by the public power
supplier are allocated to such subdivisions.
Sec. 2. Section 70-619, Reissue Revised Statutes of Nebraska, is
amended to read:
The corporate powers of the district shall be vested in
and exercised by the board of directors of the district. No person shall
be qualified to hold office as a member of the board of directors unless
(a) he or she is a registered voter (i) of such chartered territory, (ii)
of the subdivision from which a director is to be elected if such
chartered territory is subdivided for election purposes as provided in
subsection (1), (2), or (3) of section 70-612, or (iii) of one of the
combined subdivisions from which directors are to be elected at large as
provided in section 70-612 or (b) he or she is a retail customer duly
certified in accordance with subsection (3) of section 70-604.03.
(2) No person who is a full-time or part-time employee of the
district shall be eligible to serve as a member of the board of directors
of that district and no high-level manager employed by a district may
serve as a member of the board of directors of any district unless such
person (i) resigns or (ii) assumes an unpaid leave of absence for the
term as a member. The employing district shall grant such leave of
absence when requested by any employee for the purpose of the employee
serving as a member of such board. A member of a governing body of any
one of the municipalities within the areas of the district may not serve
on the original board of directors under sections 70-603 to 70-609.
(4) For purposes of this subsection, high-level manager means a
person employed by a district who serves in a high-level managerial
position, including chief executive officer, president, vice president,
chief financial officer, chief operations officer, general manager, or
assistant general manager.
Sec. 3. Section 70-1001, Reissue Revised Statutes of Nebraska, is
amended to read:
In order to provide the citizens of the state with
adequate and reliable electric service at as low overall cost as
possible, consistent with sound business practices, it is the policy of
this state to avoid and eliminate conflict and competition between public
power districts, public power and irrigation districts, individual
municipalities, registered groups of municipalities, electric membership
associations, and cooperatives in furnishing electric energy to retail
and wholesale customers, to avoid and eliminate the duplication of
13 facilities and resources which result therefrom, and to facilitate the
14 settlement of rate disputes between suppliers of electricity.
15 (2) It is also the policy of the state to prepare for an evolving
16 retail electricity market if certain conditions are met which indicate
17 that retail competition is in the best interests of the citizens of the
18 state. The determination on the timing and form of competitive markets is
19 a matter properly left to the states as each state must evaluate the
20 costs and benefits of a competitive retail market based on its own unique
21 conditions. Consequently, there is a need for the state to monitor
22 whether the conditions necessary for its citizens to benefit from retail
23 competition exist.
24 (3) It is also the policy of the state to encourage and allow
25 opportunities for private developers to develop, own, and operate
26 renewable energy facilities intended for sale at wholesale under a
27 statutory framework which protects the ratepayers of consumer-owned
28 utility systems operating in the state from subsidizing the costs of such
29 export facilities through their rates.
30 Sec. 4. Section 70-1001.01, Reissue Revised Statutes of Nebraska, is
31 amended to read:
32 70-1001.01 For purposes of sections 70-1001 to 70-1028, unless the
33 context otherwise requires:
34 (1) Board means the Nebraska Power Review Board;
35 (2) Electric suppliers or suppliers of electricity means any legal
36 entity supplying, producing, or distributing electricity within the state
37 for sale at wholesale or retail;
38 (3) Private electric supplier means an electric supplier producing
39 electricity from a privately developed renewable energy generation
40 facility that is not a public power district, a public power and
41 irrigation district, a municipality, a registered group of
42 municipalities, an electric cooperative, an electric membership
43 association, any other governmental entity, or any combination thereof;
44 (4) Privately developed renewable energy generation facility means a
45 facility that (a) generates electricity using solar, wind, geothermal,
46 biomass, landfill gas, or biogas, including all electrically connected
47 equipment used to produce, collect, and store the facility output up to
48 and including the transformer that steps up the voltage to sixty thousand
49 volts or greater, and including supporting structures, buildings, and
50 roads, unless otherwise agreed to in a joint transmission development
51 agreement, (b) is developed, constructed, and owned, in whole or in part,
52 by one or more private electric suppliers, and (c) is not wholly owned by
53 a public power district, a public power and irrigation district, a
54 municipality, a registered group of municipalities, an electric
55 cooperative, an electric membership association, any other governmental
56 entity, or any combination thereof;
57 (5) Regional transmission organization means an entity independent
58 from those entities generating or marketing electricity at wholesale or
59 retail, which has operational control over the electric transmission
60 lines in a designated geographic area in order to reduce constraints in
61 the flow of electricity and ensure that all power suppliers have open
62 access to transmission lines for the transmission of electricity;
63 (6) Reliable or reliability means the ability of an electric
64 supplier whose chartered territory comprises more than one-half of the
65 counties in Nebraska or whose service area contains a city of the
66 metropolitan class to supply the aggregate electric power and energy
67 requirements of its electricity consumers in Nebraska at all times,
68 taking into account scheduled and expected unscheduled outages of system
69 components, and to withstand sudden disturbances such as electric short
70 circuits or unanticipated loss of system components;
71 (7) Representative organization means an organization designated
72 by the board and organized for the purpose of providing joint planning
11 and encouraging maximum cooperation and coordination among electric
12 suppliers. Such organization shall represent electric suppliers owning a
13 combined electric generation plant capacity of at least ninety percent of
14 the total electric generation plant capacity constructed and in operation
15 within the state;
16 (2) State means the State of Nebraska; and
17 (3) Unbundled retail rates means the separation of utility bills
18 into the individual price components for which an electric supplier
19 charges its retail customers, including, but not limited to, the separate
20 charges for the generation, transmission, and distribution of
21 electricity.
22 Sec. 5. Section 70-1025, Reissue Revised Statutes of Nebraska, is
23 amended to read:
24 70-1025 (1) The representative organization shall file with the
25 board a coordinated long-range power supply plan containing the following
26 information:
27 (a) The identification of all electric generation plants operating
28 or authorized for construction within the state that have a rated
29 capacity of at least twenty-five thousand kilowatts;
30 (b) The identification of all transmission lines located or
31 authorized for construction within the state that have a rated capacity
3 of at least two hundred thirty kilovolts; and
2 (c) The identification of all additional planned electric generation
3 and transmission requirements needed to serve estimated power supply
4 demands within the state for a period of twenty years.
5 (2) Beginning in 1986, the representative organization shall file
6 with the board the coordinated long-range power supply plan specified in
7 subsection (1) of this section, and the board shall determine the date on
8 which such report is to be filed, except that such report shall not be
9 required to be filed more often than biennially.
10 (3) An annual load and capability report shall be filed with the
11 board by the representative organization. The report shall include:
12 (a) Statewide statewide utility load forecasts and the resources
13 available to satisfy the loads over a twenty-year period.
14 (b) Information regarding annual accredited generation unit
15 availability including limitations, scheduled outages, and forced
16 outages;
17 (c) A description of adequate fuel supply planning for the next two
18 calendar years for thermal generation units which are one hundred
19 megawatts or larger;
20 (d) A description of any changes to the accredited capacity of
21 generating units since the last report, if applicable, and the potential
22 impacts to electric system reliability; and
23 (e) Information on utility decarbonization goals and identified
24 plans to achieve those goals including any potential impacts to electric
25 system reliability;
26 (4) The annual load and capability report shall be filed on dates
27 specified by the board.
28 Sec. 6. Original sections 70-619, 70-1001, 70-1001.01, and 70-1025,
29 Reissue Revised Statutes of Nebraska, are repealed.

(Signed) Bruce Bostelman, Chairperson
RESOLUTION(S)

LEGISLATIVE RESOLUTION 311. Introduced by Slama, 1.

PURPOSE: The purpose of this resolution is to examine issues related to the workplace policies of the Legislature. This study shall include, but not be limited to, an examination and review of the Legislature's workplace harassment policy.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Executive Board of the Legislative Council shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

SELECT FILE

LEGISLATIVE BILL 767A. Senator Kolterman offered his amendment, AM2076, found on page 652.

The Kolterman amendment was adopted with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 1099. Title read. Considered.

Committee AM1895, found on page 568, was adopted with 41 ayes, 0 nays, 4 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 2 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 964. Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 804. Title read. Considered.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 5 present and not voting, and 3 excused and not voting.
LEGISLATIVE BILL 887. Title read. Considered.

SENATOR WILLIAMS PRESIDING

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 698. Title read. Considered.

Advanced to Enrollment and Review Initial with 45 ayes, 0 nays, 1 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 820. Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 840. Title read. Considered.

Committee AM1915, found on page 599, was adopted with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 888. Title read. Considered.

Senator Day offered her amendment, AM1995, found on page 635.

SPEAKER HILGERS PRESIDING

The Day amendment was adopted with 44 ayes, 0 nays, 4 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 44 ayes, 0 nays, 4 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 436. Title read. Considered.

Senator B. Hansen offered the following amendment:

AM499

1. On page 3, line 18, after the second "modalities" insert
2 "including, but not limited to, dry needling"; and in lines 22 and 27
3 strike "board shall adopt" and insert "department shall adopt and
4 promulgate".
5 2. On page 4, line 7, strike "advanced practice registered nurse-";
6 and in line 11 strike "medical".
7 3. On page 5, line 21, reinstate the stricken matter beginning with
8 "No" through "the" and after the reinstated "the" insert "functions
9 outlined in section 38-408 unless the person first"
10 through 25 reinstate the stricken matter.
11 4. On page 6, strike beginning with "accredited" in line 4 through
12 "trainer" in line 6, show the old matter as stricken, and insert
13 "athletic training education program accredited by an accrediting body
14 approved by the board".

The B. Hansen amendment was adopted with 43 ayes, 0 nays, 4 present and
not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 4 present
and not voting, and 2 excused and not voting.

**COMMITTEE REPORT(S)**

**Revenue**

**LEGISLATIVE BILL 596.** Placed on General File with amendment.

**AM2034**
1 1. On page 2, line 31, strike "three" and insert "five".
2 2. On page 3, line 3, strike "five" and insert "eight"; and in line
3 11 strike "2021" and insert "2022".
4 3. On page 4, strike lines 3 through 5 and insert the following new
5 subsection:
6 "(2) The department shall consider applications in the order in
7 which they are received and may approve tax credits until the annual
8 limit for the calendar year has been reached. For calendar year 2022, the
9 annual limit on tax credits shall be two million dollars. For calendar
10 year 2023 and each calendar year thereafter, the annual limit on tax
11 credits shall be calculated by taking the annual limit from the prior
12 calendar year and then multiplying such amount by (a) two hundred percent
13 if the amount of tax credits approved in the prior calendar year exceeded
14 ninety percent of the annual limit applicable to that calendar year or
15 (b) one hundred percent if the amount of tax credits approved in the
16 prior calendar year did not exceed ninety percent of the annual limit
17 applicable to that calendar year. In no case shall the annual limit on
18 tax credits exceed four million dollars."
19 and insert "2025".

**LEGISLATIVE BILL 729.** Placed on General File with amendment.

**AM2084**
1 1. On page 4, line 11, after the second "and" insert ", in
2 consultation with the Speaker of the Legislature, the chairperson of the
3 Executive Board of the Legislative Council, the chairperson of the
4 Appropriations Committee of the Legislature, and the chairperson of the
5 Revenue Committee of the Legislature."

**LEGISLATIVE BILL 730.** Placed on General File with amendment.

**AM2087** is available in the Bill Room.

**LEGISLATIVE BILL 1080.** Placed on General File with amendment.

**AM2039**
1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 77-3506, Revised Statutes Cumulative Supplement,
4 2020, is amended to read:
5 77-3506 (1) All homesteads in this state shall be assessed for
6 taxation the same as other property, except that there shall be exempt
7 from taxation, on any homestead described in subsection (2) of this
8 section, one hundred percent of the exempt amount.
9 (2) The exemption described in subsection (1) of this section shall
10 apply to homesteads of:
11 (a) A veteran who was discharged or otherwise separated with a
12 characterization of honorable or general (under honorable conditions),
13 who is drawing compensation from the United States Department of Veterans
14 Affairs because of one hundred percent service-connected permanent
15 disability, and who is not eligible for total exemption under sections
16 77-3526 to 77-3528;
17 (b) An unremarried surviving spouse of such a veteran described
18 in subdivision (2)(a) of this section, or a surviving spouse of such a
19 veteran who remarries after attaining the age of fifty-seven years;
20 (c) A veteran who was discharged or otherwise separated with a
21 characterization of honorable or general (under honorable conditions),
22 who is drawing compensation from the United States Department of Veterans
23 Affairs because of one hundred percent service-connected temporary
24 disability, and who is not eligible for total exemption under sections
25 77-3526 to 77-3528, an unremarried spouse of such a veteran, or a
26 surviving spouse of such a veteran who remarries after attaining the age
27 of fifty-seven years;
1 (d) An unremarried surviving spouse of any veteran, including a
2 veteran other than a veteran described in section 80-401.01, who was
3 discharged or otherwise separated with a characterization of honorable or
4 general (under honorable conditions) and who died because of a service-
5 connected disability or a surviving spouse of such a veteran who
6 remarries after attaining the age of fifty-seven years;
7 (e) (f) An unremarried surviving spouse of a serviceman or
8 servicewoman, including a veteran other than a veteran described in
9 section 80-401.01, whose death while on active duty was service-connected
10 or a surviving spouse of such a serviceman or servicewoman who remarries
11 after attaining the age of fifty-seven years; and
12 (f) (g) An unremarried surviving spouse of a serviceman or
13 servicewoman who died while on active duty during the periods described
14 in section 80-401.01 or a surviving spouse of such a serviceman or
15 servicewoman who remarries after attaining the age of fifty-seven years.
16 (3) Application for exemption under subdivision (2)(a) of this
17 section shall be required once every five years and shall include
18 certification of the status described in subdivision (2)(a) set forth in
19 subdivision (2) of this section from the United States Department of
20 Veterans Affairs. Application for exemption under subdivision (2)(b),
21 (e), (d), (c), or (1) of this section shall be required annually and
22 shall include certification of the status described in subdivision (2)
23 (b), (c), (d), (e), or (1) of this section from the United States
24 Department of Veterans Affairs, except that such certification of status
25 shall only be required once every five years such certification shall not
26 be required in succeeding years if no change in status has occurred.
27 except that the county assessor or the Tax Commissioner may request such
28 certification to verify that no change in status has occurred.
29 Sec. 2. Section 77-3512, Revised Statutes Supplement, 2021, is
30 amended to read:
31 77-3512 (1) It shall be the duty of each owner who wants a
1 homestead exemption under section 77-3506, 77-3507, or 77-3508 to file an
2 application therefor with the county assessor of the county in which the
3 homestead is located after February 1 and on or before June 30 of each
4 year. Failure to do so shall constitute a waiver of the exemption for
5 that year, except that:
6 (a) (4) The county board of the county in which the homestead is
7 located may, by majority vote, extend the deadline for an applicant to on
8 or before July 20. An extension shall not be granted to an applicant who
9 received an extension in the immediately preceding year;
10 (b) (2) An owner may file a late application pursuant to section
11 77-3514.01 if he or she includes documentation of a medical condition
12 which impaired the owner's ability to file the application in a timely
13 manner, and
14 (c) (4) An owner may file a late application pursuant to section
15 77-3514.01 if he or she includes a copy of the death certificate of a
16 spouse who died during the year for which the exemption is requested.

17 (d) A veteran qualifying for a homestead exemption under subdivision
18 (2)(a) of section 77-3506 shall only be required to file an application
19 once every five years, and
20 (e) If a veteran who has been granted a homestead exemption under
21 subdivision (2)(a) of section 77-3506 dies during the five-year exemption
22 period, the surviving spouse of such veteran shall continue to receive
23 such exemption for the remainder of the five-year exemption period. After
24 the expiration of the five-year exemption period, the surviving spouse
25 shall be required to file for an exemption under subdivision (2)(b) of
26 section 77-3506 on an annual basis.
27 (2) Failure to file an application as required in subsection (1) of
28 this section shall constitute a waiver of the exemption for the year in
29 which the failure occurred.
30 Sec. 3. Section 77-3513, Reissue Revised Statutes of Nebraska, is
31 amended to read:
1 77-3513 The county assessor shall mail a notice on or before April 1
2 to claimants who are the owners of a homestead which was granted an
3 exemption under section 77-3506, 77-3507, or 77-3508 and who are required
4 to refile for such exemption in the current preceding year unless the
5 claimant has already filed the application for the current year or the
6 county assessor has reason to believe there has been a change of
7 circumstances so that the claimant no longer qualifies. The notice shall
8 include the claimant's name, the application deadlines for the current
9 year, a list of documents that must be filed with the application, and
10 the county assessor's office address and telephone number.
11 Sec. 4. Section 77-3522, Reissue Revised Statutes of Nebraska, is
12 amended to read:
13 77-3522 (1) Any person who makes any false or fraudulent claim for
14 exemption or any false statement or false representation of a material
15 fact in support of such claim or any person who knowingly assists another
16 in the preparation of any such false or fraudulent claim or enters into
17 any collusion with another by the execution of a fictitious deed or other
18 instrument for the purpose of obtaining unlawful exemption under sections
19 77-3501 to 77-3529 shall be guilty of a Class II misdemeanor and shall be
20 subject to a forfeiture of any such exemption for a period of two years
21 from the date of conviction. Any person who shall make an oath or
22 affirmation to any false or fraudulent application for homestead
23 exemption knowing the same to be false or fraudulent shall be guilty of a
24 Class I misdemeanor.
25 (2) In addition to the penalty provided in subsection (1) of this
26 section, if any person (a) files a claim for exemption as provided in
27 section 77-3506, 77-3507, or 77-3508 which is excessive due to
28 misstatements by the owner filing such claim or (b) fails to notify the
29 county assessor of a change in status of a veteran qualifying for a
30 homestead exemption under subdivision (2)(a) of section 77-3506 which
31 affected all or a portion of the exemption period, including a change in
32 rating, a transfer of the property, or the death of the veteran, the
33 claim may be disallowed in full and, if the claim has been allowed, an
34 amount equal to the amount of taxes lawfully due during the applicable
35 exemption period but not paid by reason of such unlawful and improper
36 allowance of homestead exemption shall be due and shall upon entry of the
37 amount thereof on the books of the county treasurer be a lien on such
38 property until paid and a penalty equal to the amount of taxes lawfully
due but claimed for exemption shall be assessed. Any amount paid to
satisfy a lien imposed pursuant to this subsection shall be paid to the
county treasurer in the same manner that other property taxes are paid.
and the county treasurer shall remit such amount to the State Treasurer
for credit to the General Fund. Any penalty collected pursuant to this
subsection shall be retained by the county in which such penalty is
assessed.
(3) For any veteran claiming a homestead exemption under subdivision
(2)(a) of section 77-3506, the county assessor may revoke such exemption
back to the date on which the county assessor has reason to believe that
the exemption was improper upon notice to the veteran of the revocation.
The veteran may then provide evidence in favor of receiving the exemption
to the county assessor, and the county assessor may revise any revocation
based on such evidence. Any decision of the county assessor to revoke a
homestead exemption under this subsection may be appealed to the county
board within thirty days after the decision. The county board may reverse
or modify the revocation if there is clear and convincing evidence that
the veteran qualified for the exemption for a particular period of time.
(4) Any additional taxes or penalties imposed pursuant to this
section may be appealed in the same manner as appeals are made under
section 77-3519.
Sec. 5. This act becomes operative on January 1, 2023.
Sec. 6. Original sections 77-3513 and 77-3522, Reissue Revised
Statutes of Nebraska, section 77-3506, Revised Statutes Cumulative
Supplement, 2020, and section 77-3512, Revised Statutes Supplement, 2021,
are repealed.

(Signed) Lou Ann Linehan, Chairperson

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 939A. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to
aid in carrying out the provisions of Legislative Bill 939, One Hundred

RESOLUTION(S)

LEGISLATIVE RESOLUTION 312. Introduced by Hilkemann, 4.

WHEREAS, families are adversely affected by problem gambling in
Nebraska; and
WHEREAS, the State of Nebraska allocates funds to provide education,
counseling, and support to families affected by problem gambling; and
WHEREAS, awareness of the signs and symptoms is the key to
recognizing problem gambling; and
WHEREAS, providing education to the residents of Nebraska about the
dangers of problem gambling is needed to promote the prevention of
problem gambling in the future.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature recognizes March 2022 as Problem Gambling Awareness Month in Nebraska.
2. That a copy of this resolution be sent to the National Council on Problem Gambling, the Nebraska Council on Compulsive Gambling, and the Nebraska Commission on Problem Gambling.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Jacobson name added to LB773.
Senator Moser name added to LB773.
Senator M. Hansen name added to LB815.
Senator Walz name added to LB902.
Senator McCollister name added to LB920.
Senator Brewer name added to LB1099.
Senator McCollister name added to LB1183.

VISITOR(S)

Visitors to the Chamber were students and teachers with the Nebraska State Thespians Society from across the State of Nebraska; a group of students and teachers from Madison High School; and a group of elementary and middle school students from Villa Marie School.

The Doctor of the Day was Dr. Jacob Peterson of Kearney.

ADJOURNMENT

At 10:56 a.m., on a motion by Senator Flood, the Legislature adjourned until 9:00 a.m., Wednesday, March 2, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
THIRTY-FIFTH DAY - MARCH 2, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

THIRTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, March 2, 2022

PRAYER

The prayer was offered by Senator Moser.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Bostelman.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Aguilar, Bostar, Day, B. Hansen, M. Hansen, Hunt, Lathrop, McCollister, Morfeld, Pansing Brooks, and Stinner who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-fourth day was approved.

MESSAGE(S) FROM THE GOVERNOR

February 24, 2022

Mr. President, Speaker Hilgers
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individuals are being appointed to the Nebraska Arts Council:
Contingent upon your approval, the following individuals are being reappointed to the Nebraska Arts Council:

Alec Gorynski, 2811 S. 24 Street, Lincoln, NE 68502
Amy M. Haddad, 5803 Jones Street, Omaha, NE 68106
Ellen L. Hornady, 2517 Apache Road, Grand Island, NE 68801
Sarah G. Peetz, 940 Piedmont Road, Lincoln, NE 68510
Walter A. Seiler, 1208 Laramie Avenue, Alliance, NE 69301

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,

(Signed) Pete Ricketts
Governor

Enclosures

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 1241. Placed on Select File with amendment. ER111 is available in the Bill Room.

LEGISLATIVE BILL 1173. Placed on Select File with amendment. ER117 is available in the Bill Room.

LEGISLATIVE BILL 1173A. Placed on Select File.

LEGISLATIVE BILL 91. Placed on Select File with amendment. ER116 is available in the Bill Room.

LEGISLATIVE BILL 59. Placed on Select File.

LEGISLATIVE BILL 75. Placed on Select File with amendment. ER115

1. On page 1 strike beginning with "sections" in line 1 through line 2 and insert "section 23-299, Reissue Revised Statutes of Nebraska; to change provisions relating to the discontinuance of township organization in any county with a township library; and to repeal the original section.".

LEGISLATIVE BILL 705. Placed on Select File with amendment. ER112

1. On page 1, line 6, strike "and"; and in line 7 after "Nebraska" insert "; and to declare an emergency."
LEGISLATIVE BILL 1148. Placed on Select File with amendment.

ER114
1.1 On page 1, line 1, after "the" insert "Nebraska"; and in line 4
2 after the semicolon insert "to harmonize provisions;".

LEGISLATIVE BILL 971. Placed on Select File with amendment.

ER113
1.1 On page 3, line 14, strike "be" and show as stricken.

LEGISLATIVE BILL 691. Placed on Select File.

LEGISLATIVE BILL 1178. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

GENERAL FILE

LEGISLATIVE BILL 741. Title read. Considered.

Committee AM1683, found on page 483, was adopted with 44 ayes, 0 nays,
1 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 44 ayes, 0 nays, 1 present
and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 780. Title read. Considered.

Committee AM1645, found on page 566, was adopted with 42 ayes, 0 nays,
3 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 2 present
and not voting, and 4 excused and not voting.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 804A. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to
aid in carrying out the provisions of Legislative Bill 804, One Hundred

LEGISLATIVE BILL 917A.Introduced by Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to
aid in carrying out the provisions of Legislative Bill 917, One Hundred
COMMITTEE REPORT(S)
Government, Military and Veterans Affairs

LEGISLATIVE RESOLUTION 268CA. Placed on General File with amendment.

AM1994

1. On page 1, line 7, after "Governor" insert ", Lieutenant
2. Governor, Secretary of State, State Treasurer, Attorney General, or
3. Auditor of Public Accounts"; and in line 14 after "Governor" insert ",
4. Lieutenant Governor, Secretary of State, State Treasurer, Attorney
5. General, Auditor of Public Accounts,.

LEGISLATIVE BILL 910. Placed on General File with amendment.

AM1983

1. Insert the following new sections:
2. Sec. 4. The Nebraska Volunteer Service Commission is created as an
3. independent agency on the operative date of this act.
4. Sec. 10. (1) On the operative date of this act, all employees of the
5. Nebraska Volunteer Service Commission, as the commission existed prior to
6. such date, shall be employees of the independent statutory agency created
7. in section 4 of this act.
8. (2) On the operative date of this act, all items of property, real
9. and personal, including office furniture, fixtures, books, documents, and
10. records of the Nebraska Volunteer Service Commission, as the commission
11. existed prior to such date, shall become the property of the independent
12. statutory agency created in section 4 of this act.
13. Sec. 11. (1) Any appropriation and salary limit provided in any
14. legislative bill enacted by the One Hundred Seventh Legislature, First or
15. Second Session, to Agency No. 25, Department of Health and Human
16. Services, for the Nebraska Volunteer Service Commission, shall be null,
17. and void, and any such amounts are hereby appropriated to the independent
18. statutory agency created in section 4 of this act for fiscal year
20. (2) Any financial obligations of the Nebraska Volunteer Service
21. Commission, as the commission existed prior to the operative date of this
22. act, that remain unpaid as of June 30, 2022, and that are subsequently
23. certified as valid encumbrances to the accounting division of the
24. Department of Administrative Services pursuant to sections 81-138.01 to
25. 81-138.04 shall be paid by the independent statutory agency created in
26. section 4 of this act from the unexpended balance of appropriations for
27. the Nebraska Volunteer Service Commission, as the commission existed
28. prior to the operative date of this act, and transferred to such
29. independent statutory agency. The budget administrator of the budget
30. division of the Department of Administrative Services shall, on or before
31. August 15, 2022, certify the amount of the valid encumbrances to be
32. transferred to the independent statutory agency created in section 4 of
33. this act.
34. 2. On page 2, line 1, strike "8" and insert "11".
35. 3. Renumber the remaining sections accordingly.

LEGISLATIVE BILL 843. Placed on General File with amendment.

AM2075 is available in the Bill Room.

LEGISLATIVE BILL 709. Placed on General File with amendment.

AM1936 is available in the Bill Room.
The Government, Military and Veterans Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Ann Ashford - Nebraska Accountability and Disclosure Commission


(Signed) Tom Brewer, Chairperson

Urban Affairs

LEGISLATIVE BILL 800. Placed on General File with amendment. AM2035 is available in the Bill Room.

LEGISLATIVE BILL 842. Placed on General File with amendment. AM2033

1 1. On page 3, strike beginning with "The" in line 4 through line 5.

(Signed) Justin Wayne, Chairperson

AMENDMENT(S) - Print in Journal

Senator DeBoer filed the following amendment to LB752:

AM2103 (Amendments to Standing Committee amendments, AM1918)

1 1. Insert the following new sections:
2 Sec. 27. Sections 27 to 33 of this act shall be known and may be cited as the Alzheimer's Disease and Other Dementia Support Act.
3 Sec. 28. The Legislature hereby finds and declares that Alzheimer's and other dementia are of significant concern to the State of Nebraska, and that the Legislature and the state would benefit from a more coordinated approach to addressing Alzheimer's disease and other
dementia.
4 Sec. 29. For purposes of the Alzheimer's Disease and Other Dementia Support Act:
5 (1) Council means the Alzheimer's Disease and Other Dementia Advisory Council; and
6 (2) Department means the Department of Health and Human Services.
7 Sec. 30. (1) The Alzheimer's Disease and Other Dementia Advisory Council is created and shall include:
8 (a) Twelve voting members appointed by the Governor. The voting members shall consist of: (i) An individual living with Alzheimer's disease or another dementia or a family member of such an individual; (ii) an individual who is the family caregiver of an individual living with Alzheimer's disease or another dementia; (iii) an individual who represents nursing homes; (iv) an individual who represents assisted living facilities; (v) an individual who represents providers of adult day care services; (vi) an individual who represents home care providers; (vii) a medical professional who has experience diagnosing and treating Alzheimer's disease; (viii) an individual who conducts research regarding Alzheimer's disease or other dementia; (ix) an individual who represents
a leading, nationwide organization that advocates on behalf of
individuals living with Alzheimer's disease or other dementia; (x) an
individual who represents an area agency on aging; (xi) an individual
representing an organization that advocates for older adults; and (xii)
an individual with experience or expertise in the area of the specific
needs of individuals with intellectual and developmental disabilities and
Alzheimer's disease or other dementia; and
(b) Five nonvoting members. The nonvoting members shall consist of:
(i) The Director of Public Health or the director's designee; (ii) the
Director of Medicaid and Long-Term Care or the director's designee; (iii)
a representative of the State Unit on Aging of the Division of Medicaid
and Long-Term Care designated by the Director of Medicaid and Long-Term
Care; (iv) a representative of the Nebraska Workforce Development Board
designated by the board; and (v) the state long-term care ombudsman or
the ombudsman's designee.
(2) The Governor shall make the appointments within ninety days
after the effective date of this act. Vacancies shall be filled in the
same manner as the original appointments.
(3) The voting members of the council shall serve for a term of four
years. A voting member may be reappointed to one additional term of four
years.
(4) Members of the council shall select the chairperson and vice-
chairperson who shall not be employees of the state and may serve in such
role for up to four consecutive years. The Director of Public Health or
the director's designee shall call and preside over the first meeting
until a chairperson is selected. Thereafter, the council shall meet at
least quarterly at the call of the chairperson. A majority of the voting
members shall constitute a quorum for the conduct of meetings.
(5) The council shall hold its first meeting not later than thirty
days after the appointment of its members and shall hold subsequent
meetings at least once every calendar quarter.
(6) Members shall serve on the council without compensation but
shall be compensated for expenses incurred for such service.
(7) The department shall provide staff and support to the council as
necessary to assist the council in the performance of its duties.
Sec. 31. (1) The purpose of the council shall be to examine (a) the
needs of individuals living with Alzheimer's disease or other dementia,
(b) the services available in the state for those individuals and their
family caregivers, and (c) the ability of health care providers and
facilities to meet the current and future needs of such individuals.
(2) The council shall collaborate with the department and other
state departments as needed to gather input on issues and strategies that
pertain to Alzheimer's disease and other dementia and identify proactive
approaches on public health, workforce, caregiver support, and care
delivery. The council shall monitor analysis, policy development, and
program implementation related to Alzheimer's disease and other dementia.
Sec. 32. The council shall consider and make findings and
recommendations on the following topics:
(1) Trends in the state's Alzheimer's disease and other dementia
populations and service needs, including:
(a) The state's role in providing or facilitating long-term care,
family caregiver support, and assistance to those with early-stage or
early-onset Alzheimer's disease or other dementia;
(b) The state's policies regarding individuals with Alzheimer's
disease or other dementia;
(c) The fiscal impact of Alzheimer's disease and other dementia on
publicly funded health care programs; and
(d) The establishment of a surveillance system to better determine
the number of individuals diagnosed with Alzheimer's disease or other
dementia and to monitor changes to such numbers;
30 (2) Existing resources, services, and capacity relating to the
31 diagnosis and care of individuals living with Alzheimer's disease or
32 other dementia, including:
33 (a) The type, cost, and availability of dementia care services;
34 (b) The availability of health care workers who can serve people
35 with dementia, including, but not limited to, neurologists,
36 geriatricians, and direct care workers;
37 (c) Dementia-specific training requirements for public and private
38 employees who interact with people living with Alzheimer's disease or
39 other dementia which shall include, but not be limited to, long-term care
40 workers, case managers, adult protective services, law enforcement, and
41 first responders;
42 (d) Home and community-based services, including respite care for
43 individuals exhibiting symptoms of Alzheimer's disease or other dementia
44 and their families;
45 (e) Quality care measures for home and community-based services and
46 residential care facilities; and
47 (f) State-supported Alzheimer's disease and other dementia research
48 conducted at universities located in this state; and
49 (g) Policies and strategies that address the following:
50 (i) Increasing public awareness of Alzheimer's disease and other
dementia;
51 (ii) Educating providers to increase early detection and diagnosis of
52 Alzheimer's disease and other dementia;
53 (iii) Improving the health care received by individuals diagnosed with
54 Alzheimer's disease or other dementia;
55 (iv) Evaluating the capacity of the health care system in meeting the
56 growing number and needs of those with Alzheimer's disease and other
57 dementia;
58 (v) Increasing the number of health care professionals necessary to
59 treat the growing aging and Alzheimer's disease and dementia populations;
60 (j) Improving services provided in the home and community to delay
61 and decrease the need for institutionalized care for individuals with
62 Alzheimer's disease or other dementia;
63 (k) Improving long-term care, including assisted living, for those
64 with Alzheimer's disease or other dementia;
65 (l) Assisting unpaid Alzheimer's disease or dementia caregivers;
66 (m) Increasing and improving research on Alzheimer's disease and
67 other dementia;
68 (n) Promoting activities to maintain and improve brain health;
69 (o) Improving the collection of data and information related to
70 Alzheimer's disease and other dementia and the resulting public health
71 burdens;
72 (1) Improving public safety and addressing the safety-related needs
73 of those with Alzheimer's disease or other dementia;
74 (m) Addressing legal protections for, and legal issues faced by,
75 individuals with Alzheimer's disease or other dementia; and
76 (n) Improving the ways in which the government evaluates and adopts
77 policies to assist individuals diagnosed with Alzheimer's disease or
78 other dementia and their families.
79 Sec. 33. (1)(a) No later than eighteen months after the effective
80 date of this act, the council shall compile the findings and
81 recommendations under the Alzheimer's Disease and Other Dementia Support
82 Act and submit them as a State Alzheimer's Plan to the Legislature and
83 the Governor.
84 (b) Every four years thereafter, the council shall issue an updated
85 State Alzheimer's Plan addressing the items in sections 5 and 6 of this
86 act and any other issues the council deems necessary and relevant toward
87 addressing Alzheimer's disease and dementia in Nebraska.
88 (2) By October 1 of each year after the creation of the State
Alzheimer's Plan, the council shall electronically submit to the
Legislature and the Governor an annual report on the status of
implementation of the State Alzheimer's Plan recommendations and any
barriers to implementation.

1 2. Renumber the remaining section accordingly.

GENERAL FILE

LEGISLATIVE RESOLUTION 283CA. Read. Considered.

Advanced to Enrollment and Review Initial with 42 ayes, 1 nay, 3 present
and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 998. Title read. Considered.

Committee AM1939, found on page 580, was adopted with 40 ayes, 0 nays,
5 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 4 present
and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 769. Title read. Considered.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 5 present
and not voting, and 4 excused and not voting.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 567. Placed on Final Reading.
LEGISLATIVE BILL 704. Placed on Final Reading.
LEGISLATIVE BILL 749. Placed on Final Reading.
LEGISLATIVE BILL 767A. Placed on Final Reading.
LEGISLATIVE BILL 786. Placed on Final Reading.
LEGISLATIVE BILL 791. Placed on Final Reading.
LEGISLATIVE BILL 847. Placed on Final Reading.

LEGISLATIVE BILL 1236. Placed on Select File with amendment.

ER118
1 1. On page 1, strike lines 2 through 4 and insert: "sections
3 Revised Statutes of Nebraska; to change provisions relating to certain
4 sales, self-distribution, and storage by craft brewery licensees; to
5 provide for rules and regulations; to change provisions relating to
6 microdistillery licenses and special designated licenses; to change a
7 fee; to harmonize provisions; and to repeal the original sections.".

LEGISLATIVE BILL 1099. Placed on Select File.

(Signed) Terrell McKinney, Chairperson
AMENDMENT(S) - Print in Journal

Senator Albrecht filed the following amendment to LB750:
AM2085 is available in the Bill Room.

Senator McKinney filed the following amendment to LB1112:
AM2101 (Amendments to Standing Committee amendments, AM1942)
1. On page 1, line 6, after the second "and" insert "beginning in school year 2026-27;" in line 8 after "course" insert "or the equivalent of a one-semester high school course;" in line 25 strike "2024-25" and insert "2026-27;" and in line 26 after "course" insert "or the equivalent of a one-semester high school course;".

RESOLUTION(S)

LEGISLATIVE RESOLUTION 313. Introduced by Day, 49.

WHEREAS, the 2022 Nebraska State Cheer & Dance Competition was held from February 17 through February 19 at the Heartland Events Center in Grand Island; and
WHEREAS, Gretna High School's 20 varsity cheerleaders competed in the Class A Cheer non-tumbling category at the Nebraska State Cheer & Dance Competition; and
WHEREAS, the Gretna High School cheerleaders began working on their routine and choreography in October 2021; and
WHEREAS, their routine consisted of two pom sections and a crowd-leading cheer; and
WHEREAS, months of hard work culminated in the team making history and bringing home the first ever state cheer championship for Gretna; and
WHEREAS, the Gretna High School cheerleaders showcased strength, confidence, dedication, and spirit; and
WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature congratulates the Gretna High School Cheer Team on winning the 2022 Class A State Cheer Championship.
2. That a copy of this resolution be sent to Gretna High School and the Gretna High School cheer coach, Sarah Chagnon.

Laid over.

LEGISLATIVE RESOLUTION 314. Introduced by Murman, 38.

WHEREAS, the TeamMates Mentoring Program was founded in 1991 by Dr. Tom and Nancy Osborne; and
WHEREAS, the mission of TeamMates is to positively impact the world by inspiring youth to reach their full potential through mentoring; and
WHEREAS, TeamMates mentors and mentees meet once a week during the academic year to play board games, work on a craft, or just talk; and
WHEREAS, Melanie Knight is a TeamMates mentor; and
WHEREAS, Melanie has been mentoring her current TeamMates mentee for seven years and has continued to put more of her time and effort into their relationship and meetings, even after moving to a more distant community; and
WHEREAS, Melanie was nominated by her mentee and her mentee's mother to be TeamMates Mentor of the Year; and
WHEREAS, Melanie was chosen by TeamMates to be the 2021-2022 Mentor of the Year; and
WHEREAS, Melanie will be formally honored at the TeamMates Conference this summer; and
WHEREAS, the Legislature recognizes the benefits of mentoring and volunteerism.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature congratulates Melanie Knight on being selected TeamMates 2021-2022 Mentor of the Year.
2. That a copy of this resolution be sent to Melanie Knight.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR307 was referred to the Reference Committee.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR Committee
LR307 Executive Board

The Legislative Council Executive Board submits the following report:

Goranson, Jana - Nebraska Arts Council - General Affairs
Gorynski, Alec - Nebraska Arts Council - General Affairs
Haddad, Amy M. - Nebraska Arts Council - General Affairs
Hornady, Ellen L. - Nebraska Arts Council - General Affairs
Peetz, Sarah G. - Nebraska Arts Council - General Affairs
Roush, Dr. Clark - Nebraska Arts Council - General Affairs
Seiler, Walter A. - Nebraska Arts Council - General Affairs

(Signed) Dan Hughes, Chairperson
Executive Board
LEGISLATIVE BILL 864. Title read. Considered.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 1065. Title read. Considered.

Committee AM1964, found on page 611, was adopted with 40 ayes, 1 nay, 3 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 1246. Title read. Considered.

Committee AM1842, found on page 578, was adopted with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

Senator Slama offered the following amendment:

AM1978

1. Insert the following new section:

2 Sec. 2. Section 29-4003, Revised Statutes Cumulative Supplement, 3 2020, is amended to read:
4 29-4003 (1)(a) The Sex Offender Registration Act applies to any
5 person who on or after January 1, 1997:
6 (i) Has ever pled guilty to, pled nolo contendere to, or been found
7 guilty of any of the following:
8 (A) Kidnapping of a minor pursuant to section 28-313, except when
9 the person is the parent of the minor and was not convicted of any other
10 offense in this section;
11 (B) False imprisonment of a minor pursuant to section 28-314 or
12 28-315;
13 (C) Sexual assault pursuant to section 28-319 or 28-320;
14 (D) Sexual abuse by a school employee pursuant to section 28-316.01;
15 (E) Sexual assault of a child in the second or third degree pursuant
16 to section 28-320.01;
17 (F) Sexual assault of a child in the first degree pursuant to
18 section 28-319.01;
19 (G) Sexual abuse of a vulnerable adult or senior adult pursuant to
20 subdivision (1)(c) of section 28-386;
21 (H) Incest of a minor pursuant to section 28-703;
22 (I) Pandering of a minor pursuant to section 28-802;
23 (J) Visual depiction of sexually explicit conduct of a child
24 pursuant to section 28-1463.03 or subdivision (2)(b) or (c) of section
25 28-1463.05;
26 (K) Knowingly possessing any visual depiction of sexually explicit
27 conduct which has a child as one of its participants or portrayed
28 observers pursuant to subsection (1) or (4) of section 28-813.01;
29 (L) Criminal child enticement pursuant to section 28-311;
30 (M) Child enticement by means of an electronic communication device
31 pursuant to section 28-320.02;
32 (N) Debauching a minor pursuant to section 28-805; or
33 (O) Attempt, solicitation, aiding or abetting, being an accessory,
34 or conspiracy to commit an offense listed in subdivisions (1)(a)(i)(A)
8 through (1)(a)(i)(N) of this section;
9 (ii) Has ever pled guilty to, pled nolo contendere to, or been found
10 guilty of any offense that is substantially equivalent to a registrable
11 offense under subdivision (1)(a)(i) of this section by any village, town,
12 city, state, territory, commonwealth, or other jurisdiction of the United
13 States, by the United States Government, by court-martial or other
14 military tribunal, or by a foreign jurisdiction, notwithstanding a
15 procedure comparable in effect to that described under section 29-2264 or
16 any other procedure to nullify a conviction other than by pardon;
17 (iii) Is incarcerated in a jail, a penal or correctional facility,
18 or any other public or private institution or is under probation or
19 parole as a result of pleading guilty to or being found guilty of a
20 registrable offense under subdivision (1)(a)(i) or (ii) of this section
21 prior to January 1, 1997; or
22 (iv) Enters the state and is required to register as a sex offender
23 under the laws of another village, town, city, state, territory,
24 commonwealth, or other jurisdiction of the United States.
25 (b) In addition to the registrable offenses under subdivision (1)(a)
26 of this section, the Sex Offender Registration Act applies to any person
27 who on or after January 1, 2010:
28 (i) (A) Except as provided in subdivision (1)(b)(i)(B) of this
29 section, has ever pled guilty to, pled nolo contendere to, or been found
30 guilty of any of the following:
31 (I) Murder in the first degree pursuant to section 28-303;
32 (II) Murder in the second degree pursuant to section 28-304;
33 (III) Manslaughter pursuant to section 28-305;
34 (IV) Assault in the first degree pursuant to section 28-308;
35 (V) Assault in the second degree pursuant to section 28-309;
36 (VI) Assault in the third degree pursuant to section 28-310;
37 (VII) Stalking pursuant to section 28-311.03;
38 (VIII) Violation of section 28-311.08 requiring registration under
39 the act pursuant to subsection (6) of section 28-311.08;
40 (IX) Kidnapping pursuant to section 28-313;
41 (X) False imprisonment pursuant to section 28-314 or 28-315;
42 (XI) Sexual abuse of an inmate or parolee in the first degree
43 pursuant to section 28-322.02;
44 (XII) Sexual abuse of an inmate or parolee in the second degree
45 pursuant to section 28-322.03;
46 (XIII) Sexual abuse of a protected individual pursuant to section
47 28-322.04;
48 (XIV) Incest pursuant to section 28-703;
49 (XV) Child abuse pursuant to subdivision (1)(d) or (e) of section
50 28-707;
51 (XVI) Enticement by electronic communication device pursuant to
52 section 28-833; or
53 (XVII) Attempt, solicitation, aiding or abetting, being an
54 accessory, or conspiracy to commit an offense listed in subdivisions (1)
55 (b)(i)(A)(I) through (1)(b)(i)(A)(XVI) of this section.
56 (B) In order for the Sex Offender Registration Act to apply to the
57 offenses listed in subdivisions (1)(b)(i)(A)(I), (II), (III), (IV), (V),
58 (VI), (VII), (IX), and (X) of this section, a court shall have found that
59 evidence of sexual penetration or sexual contact, as those terms are
60 defined in section 28-318, was present in the record, which shall include
61 consideration of the factual basis for a plea-based conviction and
62 information contained in the presentence report;
63 (ii) Has ever pled guilty to, pled nolo contendere to, or been found
64 guilty of any offense that is substantially equivalent to a registrable
65 offense under subdivision (1)(b)(i) of this section by any village, town,
66 city, state, territory, commonwealth, or other jurisdiction of the United
67 States, by the United States Government, by court-martial or other
68 military tribunal, or by a foreign jurisdiction, notwithstanding a
69 procedure comparable in effect to that described under section 29-2264 or
any other procedure to nullify a conviction other than by pardon; or

8 (iii) Enter the state and is required to register as a sex offender

9 (ii) Has ever pled guilty to, pled nolo contendere to, or been found
guilty of human trafficking under subsection (1) or (2) of section
29 26–831.1, and the court determines either by notification of sex offender
registration responsibilities or notation in the sentencing order that
the human trafficking was sex trafficking or sex trafficking of a minor
and not solely labor trafficking or labor trafficking of a minor; or

10 (ii) Has ever pled guilty to, pled nolo contendere to, or been found
guilty of any offense that is substantially equivalent to a registrable
offense under subdivision (1)(d)(i) of this section by any village, town,
city, state, territory, commonwealth, or other jurisdiction of the United
States, by the United States Government, by court-martial or other
military tribunal, or by a foreign jurisdiction, notwithstanding a
procedure comparable in effect to that described under section 29–2264 or

11 any other procedure to nullify a conviction other than by pardon.

12 (d) In addition to the registrable offenses under subdivisions (1)

13 (a), (b), and (c) of this section, the Sex Offender Registration Act

applies to any person who on or after January 1, 2023:

14 (i) Has ever pled guilty to, pled nolo contendere to, or been found
guilty of human trafficking under subsection (1) or (2) of section
29 26–831.1, and the court determines either by notification of sex offender
registration responsibilities or notation in the sentencing order that
the human trafficking was sex trafficking or sex trafficking of a minor
and not solely labor trafficking or labor trafficking of a minor; or

15 (ii) Has ever pled guilty to, pled nolo contendere to, or been found
guilty of any offense that is substantially equivalent to a registrable
offense under subdivision (1)(d)(i) of this section by any village, town,
city, state, territory, commonwealth, or other jurisdiction of the United
States, by the United States Government, by court-martial or other
military tribunal, or by a foreign jurisdiction, notwithstanding a
procedure comparable in effect to that described under section 29–2264 or

16 any other procedure to nullify a conviction other than by pardon.

17 (2) A person appealing a conviction of a registrable offense under
this section shall be required to comply with the act during the appeals
process.

18 accordingly.

The Slama amendment was adopted with 41 ayes, 0 nays, 3 present and not
voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 3 present
and not voting, and 5 excused and not voting.

**BILL ON FIRST READING**

The following bill was read for the first time by title:

**LEGISLATIVE BILL 698A.** Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to
aid in carrying out the provisions of Legislative Bill 698, One Hundred
AMENDMENT(S) - Print in Journal

Senator Morfeld filed the following amendment to LB773:

AM1908

1. On page 26, line 25, strike beginning with "The" through the 2nd period, show as stricken, and insert "There shall be no fee for issuance 3 or renewal of a permit."; and strike beginning with "The" in line 29 4 through "renewal" in line 30, show as stricken, and insert "Renewal".
5. On page 27, strike lines 5 through 7 and show as stricken; and
6. After line 7 insert the following new subsection:
7. (3) The expense of issuing, renewing, and administering permits 8 shall be paid from the budget of the Nebraska Commission on Law 9 Enforcement and Criminal Justice.

Senator Dorn filed the following amendment to LB1091:

AM2137

1. On page 1, line 23, after "nursing" insert "or an accelerated 2 bachelor of science in nursing degree".

Senator B. Hansen filed the following amendment to LB990:

AM1654

1. Strike original section 2 and all amendments thereto and insert 2 the following new section:
3 Sec. 2. (1) A person commits the offense of criminal impersonation 4 by stolen valor if such person:
5 (a)(i) Pretends to be an active member or veteran of the United 6 States Navy, Army, Air Force, Marines, Coast Guard, or Space Force, 7 including armed forces reserves and the National Guard, through the 8 unauthorized manufacture, sale, possession, or use of military regalia or 9 gear, including the wearing of military uniforms or the use of falsified 10 military identification; and
11 (ii) Does an act in such fictitious capacity with the intent to:
12 (A) Gain a pecuniary benefit for such person or another person; and 13 (B) Deceive or harm another person; or
14 (b) With the intent to deceive or harm another, fraudulently 15 represents such person to be a recipient of the Congressional Medal of 16 Honor, Distinguished Service Cross, Navy Cross, Air Force Cross, Silver 17 Star, Purple Heart, Combat Infantryman Badge, Combat Action Badge, Combat 18 Medical Badge, Combat Action Ribbon, Air Force Combat Action Medal, or 19 another similar award or honor and obtains money, property, or anything 20 of value through such fraudulent representation.
21 (2) A violation of this section is a Class I misdemeanor.
22 (3) A person found guilty of violating this section may, in addition 23 to the penalties under subsection (2) of this section, be ordered to make 24 restitution pursuant to sections 29-2280 to 29-2289.

Senator M. Cavanaugh filed the following amendment to LB773:

AM1907

1. Insert the following new section:
2 Section 1. (1) For purposes of this section, firearm has the same 3 meaning as in section 28-1201.
4 (2) Beginning January 1, 2023, any person possessing a firearm shall 5 ensure that such firearm is stored safely when not in use.
6 2. Renumber the remaining sections and correct internal references 7 accordingly.
COMMITTEE REPORT(S)

Education

LEGISLATIVE BILL 852. Placed on General File with amendment.
AM1607
1 1. On page 2, line 20, strike "whenever possible".

LEGISLATIVE BILL 872. Placed on General File with amendment.
AM1807
1 1. On page 2, lines 1 and 26; and page 3, line 16, after "who"
2 insert "is a member of an indigenous tribe of the United States or
3 another country and"
4 2. On page 2, strike beginning with "attending" in line 1 through
5 "79" in line 2 and insert "attending an approved or accredited public,
6 private, denominational, or parochial school".
7 3. On page 4, line 7, strike "bill" and insert "act".

(Signed) Lynne Walz, Chairperson

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 964. Placed on Select File.
LEGISLATIVE BILL 804. Placed on Select File.

LEGISLATIVE BILL 887. Placed on Select File with amendment.
ER121
1 1. On page 1, line 2, after the last comma insert "and"; in line 3
2 strike "and 85-958, "; and in line 9 strike "conference of" and insert
3 "conferring"
4 2. On page 3, line 3; page 4, lines 10, 16, and 25; and page 5, line
5 9, strike "board", show as stricken, and insert "Board of Trustees of the
6 Nebraska State Colleges"
7 3. On page 4, lines 5 and 24; and page 5, line 4, strike the comma
8 and show as stricken.

LEGISLATIVE BILL 698. Placed on Select File.
LEGISLATIVE BILL 820. Placed on Select File.
LEGISLATIVE BILL 840. Placed on Select File.

LEGISLATIVE BILL 888. Placed on Select File with amendment.
ER119
1 1. On page 1, strike beginning with "79-719" in line 1 through line
2 3 and insert "79-760.01, Revised Statutes Supplement, 2021; to change a
3 requirement relating to academic standards for social studies; and to
4 repeal the original section.".

LEGISLATIVE BILL 436. Placed on Select File with amendment.
ER120
1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Section 38-401, Reissue Revised Statutes of Nebraska, is
amended to read:
5 38-401 Sections 38-401 to 38-414 and sections 4 to 6 of this act
6 shall be known and may be cited as the Athletic Training Practice Act.
7 Sec. 2. Section 38-402, Reissue Revised Statutes of Nebraska, is
8 amended to read:
9 38-402 For purposes of the Athletic Training Practice Act and
10 elsewhere in the Uniform Credentialing Act, unless the context otherwise
11 requires, the definitions found in sections 38-404 and 38-406 and
12 sections 4 to 6 of this act 38-403 to 38-407 apply.
13 Sec. 3. Section 38-404, Reissue Revised Statutes of Nebraska, is
14 amended to read:
15 38-404 Athletic trainer means a health care professional who is
16 licensed to practice athletic training under the Athletic Training
17 Practice Act and who, under guidelines established with a licensed
18 physician, performs the functions outlined in section 38-408 except as
19 otherwise provided in subsection (5) of section 38-408 person who is
20 responsible for the prevention, emergency care, first aid, treatment, and
21 rehabilitation of athletic injuries under guidelines established with a
22 licensed physician and who is licensed to perform the functions set out
23 in section 38-408. When athletic training is provided in a hospital
24 outpatient department or clinic or an outpatient based medical facility,
25 the athletic trainer will perform the functions described in section
26 38-408 with a referral from a licensed physician for athletic training.
27 Sec. 4. Condition means a disease, illness, or injury:
1 Sec. 5. Impression means a summation of information or an opinion
2 formed, which is the outcome of the examination and assessment process.
3 Sec. 6. Injuries and illnesses means injuries or common illnesses
4 and conditions which are related to, or which limit participation in,
5 exercise, athletic activities, recreational activities, or activities
6 requiring physical strength, agility, flexibility, range of motion,
7 speed, or stamina, and for which athletic trainers as a result of their
8 education and training are qualified to provide care and make referrals
9 to the appropriate health care professionals.
10 Sec. 7. Section 38-408, Reissue Revised Statutes of Nebraska, is
11 amended to read:
12 38-408 (1) As set forth in the Athletic Training Practice Act, the
13 practice of athletic training includes providing the following regarding
14 injuries and illnesses:
15 (a) Prevention and wellness promotion;
16 (b) Examination, assessment, and impression;
17 (c) Immediate and emergency care, including the administration of
18 emergency drugs as prescribed by a licensed physician and dispensed by a
19 pharmacy for emergency use, subject to subsection (2) of this section;
20 (d) Therapeutic intervention or rehabilitation of injuries and
21 illnesses in the manner, means, and methods deemed necessary to affect
22 care, rehabilitation, or function;
23 (e) Therapeutic modalities, including, but not limited to, physical
24 modalities, mechanical modalities including, but not limited to, dry
25 needling, water, heat, light, sound, cold, and electricity; and
26 (f) Health care administration, risk management, and professional
27 responsibility;
28 (2) The department shall adopt and promulgate rules and regulations
29 regarding the administration of emergency drugs as authorized in this
30 section, including drugs, medicines, and medicinal substances as defined
31 in section 38-2819 except for controlled substances listed in section
32 28-405.
2 (3) The department shall adopt and promulgate rules and regulations
3 regarding the use of dry needling by athletic trainers;
4 (4) The scope of practice of athletic trainers does not include the
5 use of joint manipulation, grade V mobilization/manipulation, thrust...
joint manipulation, high velocity/low amplitude thrust, nor any other procedure intended to result in joint cavitation. Joint manipulation commences where grades one through four mobilization ends.

9 (5) When athletic training is provided in a hospital outpatient department or clinic, or an outpatient-based medical facility or clinic, the athletic trainer shall perform the functions described in this section with a referral from a licensed physician, osteopathic physician, podiatrist, nurse practitioner, physician assistant, dentist, or chiropractor. The referral shall state the diagnosis and, if deemed necessary, identify any instructions or protocols by the referring provider. In these instances, for each patient under his or her care, the athletic trainer shall ensure documentation is complete, accurate, and timely and shall include the following:

(a) Provide and document the initial examination, assessment, and impression;

(b) Provide periodic reexamination with documentation of the reexamination, assessment, and impression;

(c) Establish a plan of care following either the initial examination or examination and reexamination that is in accordance with the diagnosis and any instructions or protocols indicated by the referring provider;

(d) Communicate to the referring provider changes in the patient's condition that may require altering instructions and protocols indicated by the referral from the referring provider;

(e) Be responsible for accurate documentation of each followup visit and billing for athletic training services provided; and

(f) Provide documentation upon discharge, including patient response to athletic training intervention at the time of discharge.

6 In all other instances, the athletic trainer shall maintain documentation consistent with the guidelines established with a licensed physician and specific to the setting in which the athletic trainer is practicing.

7 (7) An individual who is licensed as an athletic trainer may not provide, offer to provide, or represent that he or she is qualified to provide any care or services that he or she lacks the education, training, or experience to provide or that he or she is otherwise prohibited by law from providing.

8 (8) Pursuant to subdivision (18) of section 38-2025, no athletic trainer shall hold himself or herself out to be a physician or surgeon or qualified to prescribe medications.

9 (1) Athletic trainers shall be authorized to use the following physical modalities in the treatment of athletic injuries under guidelines established with a licensed physician:

(a) Application of electrotherapy;

(b) Application of ultrasound;

(c) Use of medical diathermy;

(d) Application of infrared light; and

(e) Application of ultraviolet light.

22 (2) The application of heat, cold, air, water, or exercise shall not be restricted by the Athletic Training Practice Act.

23 Sec. 8. Section 38-409, Reissue Revised Statutes of Nebraska, is amended to read:

24 38-409 No person shall be authorized to perform the functions outlined in section 38-408 unless the person first physical modalities prescribed in section 38-408 on any person unless he or she first obtains a license as an athletic trainer or unless such person is licensed as a physical therapist, or podiatrist. No person shall hold himself or herself out as an athletic trainer in this state unless such person is licensed under the Athletic Training Practice Act.

3 Sec. 9. Section 38-410, Reissue Revised Statutes of Nebraska, is
amended to read:
5 38-410 (1) An individual who accompanies an athletic team or
6 organization from another state or jurisdiction as the athletic trainer
7 is exempt from the licensure requirements of the Athletic Training
8 Practice Act.
9 (2) An individual who is a graduate student in athletic training
10 student who is enrolled in an athletic training education program
11 accredited by an accrediting body approved by the board and who is
12 practicing under the supervision of a licensed athletic trainer is exempt
13 from the licensure requirements of the Athletic Training Practice Act.
14 Sec. 10. Section 38-411, Reissue Revised Statutes of Nebraska, is
15 amended to read:
16 38-411 (1) An applicant for licensure as an athletic trainer shall
17 at the time of application provide proof to the department that the
18 applicant hereafter meets one or more of the following qualifications:
19 (a) For any person who graduated prior to January 1, 2004:
20 (i) to Graduation after successful completion of the athletic
21 training curriculum requirements of an accredited athletic training
22 education program at an accredited college or university approved by the
23 board; or
24 (ii) Graduation with a four-year degree from an accredited
25 college or university and completion of at least two consecutive years,
26 military duty excepted, as an athletic training student a student
27 athletic trainer under the supervision of an athletic trainer approved by
28 the board and -
29 (b) For any person who graduated after January 1, 2004, graduation
30 after successful completion of the curriculum requirements of an
31 accredited athletic training education program at an accredited college
32 or university approved by the board.
3 (2) In order to be licensed as an athletic trainer, an applicant
3 shall, in addition to the requirements of subsection (1) of this section,
4 successfully complete an examination approved by the board.
5 Sec. 11. Original sections 38-401, 38-402, 38-404, 38-408, 38-409,
6 38-410, and 38-411, Reissue Revised Statutes of Nebraska, are repealed.
7 Sec. 12. The following sections are outright repealed: Sections
8 38-403, 38-405, and 38-407, Reissue Revised Statutes of Nebraska.

(Signed) Terrell McKinney, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 315. Introduced by Lowe, 37.

WHEREAS, the purpose of unclaimed property laws is to protect the
public by ensuring money and property owed is returned to its rightful
owner, rather than remaining permanently with financial institutions,
business associations, governments, and other entities; and
WHEREAS, it is imperative that the State of Nebraska continues to help
residents find and claim their unclaimed property easily and securely; and
WHEREAS, the State of Nebraska currently has over $200 million worth
of unclaimed property; and
WHEREAS, beginning on March 6 and continuing through the rest of
the month, a list of owners of unclaimed property will be published in
newspapers across the state pursuant to state law; and
WHEREAS, every year thousands of Nebraskans receive unclaimed
property.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE
ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND
SESSION:
1. That the Legislature recognizes the importance of returning unclaimed
property to the rightful owner of such property and encourages all
Nebraskans to search for and claim their unclaimed property.
2. That the Legislature recognizes March 2022 as Unclaimed Property
Month in Nebraska.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So
ordered.

Senator Jacobson name added to LB661.
Senator Murman name added to LB721.
Senator Jacobson name added to LB741.
Senator Jacobson name added to LB914.

VISITOR(S)

Visitors to the Chamber were King's Academy, Lincoln, and Brad
Haughbaugh, Raleigh, North Carolina; fourth-grade students and their
teachers from David City Elementary, David City; and fourth-grade students
and their teachers from Louisville Elementary, Louisville.

The Doctor of the Day was Dr. Kip Anderson of Columbus.

ADJOURNMENT

At 11:52 a.m., on a motion by Senator Lathrop, the Legislature adjourned
until 9:00 a.m., Thursday, March 3, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
THIRTY-SIXTH DAY - MARCH 3, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

THIRTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, March 3, 2022

PRAYER

The prayer was offered by Senator Halloran.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Brandt.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Williams presiding.

The roll was called and all members were present except Senator Linehan who was excused; and Senators Aguilar, Bostar, J. Cavanaugh, M. Cavanaugh, Day, B. Hansen, Hilkemann, Lathrop, McCollister, Pansing Brooks, Slama, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-fifth day was approved.

REPORTS

Agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of March 2, 2022, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature
Committee Report(s)
Revenue

Legislative Bill 984. Placed on General File with amendment. AM2130 is available in the Bill Room.

(Signed) Lou Ann Linehan, Chairperson

Amendment(s) - Print in Journal

Senator Brewer filed the following amendment to LB773:
AM2106

(Amendments to AM1757)
1. On page 2, line 1, strike "(6)", show as stricken, and insert
"(6)(a)"; and after line 6 insert the following new subdivision:
"(b) To require registration of handguns other than those owned,
possessed, or transported by an individual holding a valid permit under
the Concealed Handgun Permit Act or a license or permit to carry a
concealed handgun issued by any other state or the District of Columbia
and recognized as valid under section 69-2448. A city of the metropolitan
class which requires registration of handguns under this subdivision
shall not deny registration to any individual who is not a prohibited
person. For purposes of this subdivision, handgun and prohibited person
have the same meanings as in section 28-1201;"
2. On page 17, insert the following new subsection after line 3:
"(2) A person shall not carry a handgun concealed on or about his or
her person while engaged in the commission of a covered offense;", in
line 4 strike "(3)" and insert "(3)"; after line 7 insert the following
new subsection:
"(4) For purposes of this section, covered offense means:
(a) Robbery under section 28-324;
(b) Arson in the first, second, or third degree under section
28-502, 28-503, or 28-504, respectively;
(c) Burglary under section 28-507;
(d) Murder in the first degree, murder in the second degree, or
manslaughter under section 28-303, 28-304, or 28-305, respectively;
(e) A violation involving a controlled substance under section
28-416;
(f) Offenses involving a firearm or other deadly weapon under
section 28-1203, 28-1204.03, 28-1204.04, 28-1205, 28-1207, 28-1208,
28-1212.01, 28-1212.03, or 28-1212.04, except that for a violation of
section 28-1205, the violation of this section cannot serve as the
predicate offense;
(g) Assault in the first degree, assault in the second degree, or
assault by strangulation or suffocation under section 28-308, 28-309, or
28-310.01, respectively;
(h) Assault on an officer, an emergency responder, a state
correctional employee, a Department of Health and Human Services
10 employee, or a health care professional in the first, second, or third
11 degree under section 28-929, 28-930, or 28-931, respectively, or assault
12 on an officer, an emergency responder, a state correctional employee, a
13 Department of Health and Human Services employee, or a health care
14 professional using a motor vehicle under section 28-931.01;
15 (i) Theft by unlawful taking or disposition under section 28-511;
16 (j) Theft by receiving stolen property under section 28-517;
17 (k) Theft by deception under section 28-512;
18 (l) Theft by extortion under section 28-513;
19 (m) Kidnapping under section 28-313;
20 (n) Any forgery offense under sections 28-602 to 28-605;
21 (o) Criminal impersonation under section 28-638;
22 (p) Tampering with a publicly exhibited contest under section
23 28-614;
24 (q) Unauthorized use of a financial transaction device or criminal
25 possession of a financial transaction device under section 28-620 or
26 28-621, respectively;
27 (r) Pandering under section 28-802;
28 (s) Keeping a place of prostitution under section 28-804;
29 (t) Bribery bribery of a witness, or bribery of a juror under
30 section 28-917, 28-918, or 28-920, respectively;
31 (u) Tampering with a witness or an informant or jury tampering under
1 section 28-919;
2 (v) Unauthorized application of graffiti under section 28-524;
3 (w) Dogfighting, cockfighting, bearbaiting, or pitting an animal
4 against another under section 28-1005;
5 (x) Promoting gambling in the first degree under section 28-1102;
6 (y) Criminal child enticement under section 28-311;
7 (z) Terroristic threats under section 28-311.01;
8 (aa) Stalking under section 28-311.03;
9 (bb) False imprisonment in the first degree or false imprisonment in
10 the second degree, under section 28-314 or 28-315, respectively;
11 (cc) Sexual assault in the first degree or sexual assault in the
12 second or third degree, under section 28-319 or 28-320, respectively;
13 (dd) Sexual assault of a child in the first degree or sexual assault
14 of a child in the second or third degree, under section 28-319.01 or
15 28-320.01, respectively;
16 (ee) Sexual abuse of a protected individual under section 28-322.04;
17 (ff) Domestic assault under section 28-323;
18 (gg) Impersonating a public servant or impersonating a peace officer
19 under section 28-609 or 28-610, respectively;
20 (hh) Operating a motor vehicle or vessel to avoid arrest under
21 section 28-905;
22 (ii) Introducing implements for escape under section 28-913;
23 (jj) Loitering about a penal institution under section 28-914;
24 (kk) Labor trafficking, labor trafficking of a minor, sex
25 trafficking, or sex trafficking of a minor under section 28-831;
26 (ll) Knowing violation of a sexual assault protection order under
27 section 28-311.11;
28 (mm) Assault in the third degree under section 28-310 if punishable
29 as a Class I misdemeanor;
30 (nn) Assault of an unborn child in the first, second, or third
31 degree under section 28-397, 28-398, or 28-399, respectively;
1 (oo) Theft in violation of section 28-518 when the offense is
2 classified as a Class I misdemeanor or a felony;
3 (pp) First or second degree criminal trespass under section 28-520
4 or 28-521, respectively;
5 (qq) Prostitution under section 28-801;
6 (rr) Solicitation of prostitution under section 28-801.01;
7 (ss) Debauching a minor under section 28-805;
8 (tt) Obstructing government operations under section 28-901;
9 (uu) Resisting arrest under section 28-904;
10 (vv) Obstructing a peace officer under section 28-906;
11 (ww) Interference with a fireman on official duty under section 28-906;
12 (xx) Assault with a bodily fluid against a public safety officer under section 28-934;
13 (yy) Use of explosives without a permit under section 28-1218;
14 (zz) Concealing the death of another person under section 28-1302;
15 (aaa) Knowing violation of a protection order under section 42-924;
16 (bbb) Manufacturing spirits without a license under subsection (2)
of section 53-1.100;
17 (ccc) Offenses involving an imitation controlled substance under section 28-445 if punishable as a Class II misdemeanor;
18 (ddd) An offense relating to an inspection warrant under section 29-835;
19 (eee) Failure to obey a lawful order of a peace officer under subsection (2) of section 60-6.110;
20 (fff) Harassment of a police animal under subsection (3) of section 26-1099;
21 (ggg) Offenses involving a service animal under section 28-1009.01;
22 (hhh) Discharging a firearm or weapon from a public way under section 28-1335;
23 (iii) Resisting or obstructing an officer or employee of the Game and Parks Commission under section 37-609;
24 (jjj) Failure of a vessel to comply with an order of an officer to stop under section 37-1238.02;
25 (kkk) Violations relating to animals under section 39-313;
26 (lll) Criminal mischief under section 28-519 if punishable as a Class I or II misdemeanor or a felony, including cases in which the penalty is enhanced as provided in section 28-111;
27 (mmm) Any criminal attempt under section 28-201 to commit an offense described in this subsection, other than a violation of a city or village ordinance;
28 (nnn) Accessory to felony under section 28-204; or
29 (ooo) A violation of a city or village ordinance prohibiting hate intimidation, obstructing a law enforcement officer or firefighter,
30 resisting arrest, disorderly conduct, failure to disperse, refusing a lawful request to move, unlawful assembly, assault, battery, intimidation,
31 of a child under sixteen years of age into a vehicle, child enticement,
32 caretaker neglect, solicitation, pandering, theft, trespass, failure to leave the property of another upon request to leave, damage to property,
33 discharging a projectile, or sale of a firearm to a minor”, and in line 20, strike “or a prohibited person” and insert “, prohibited person, or person engaged in the commission of a covered offense as defined in section 28-1202”.
23 3. On page 23, strike lines 12 and 13 and insert “first offense, a Class I misdemeanor for a second offense, and a Class IV felony for a third offense; and”.

Senator Linehan filed the following amendment to LB984:

AM2144

(Amendments to Standing Committee amendments, AM2130)
1 1. On page 13, line 13, before "The" insert "(1)"; and after line 25 insert the following new subsection:
2 "(2) A client described in subsection (1) of this section which enters into a contract of construction, improvement, or repair with respect to buyer-based tax-exempt items annexed to real estate without first issuing a purchasing agent authorization to a construction contractor prior to such items being annexed to real estate in the
Senator M. Hansen filed the following amendment to LB820:

AM2147

1. On page 4, line 21, strike "of such cities", show as stricken,
2 and insert "cities described in this section".

SELECT FILE

LEGISLATIVE BILL 450. Senator Geist offered her amendment, AM1943, found on page 583.

The Geist amendment was adopted with 31 ayes, 0 nays, 7 present and not voting, and 11 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 450A. Advanced to Enrollment and Review for Engrossment.

SENATOR ARCH PRESIDING

LEGISLATIVE BILL 1099. Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 707. Title read. Considered.

Committee AM1859, found on page 582, was adopted with 37 ayes, 0 nays, 3 present and not voting, and 9 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 4 present and not voting, and 9 excused and not voting.

LEGISLATIVE BILL 863. Title read. Considered.

Committee AM1913, found on page 583, was adopted with 42 ayes, 0 nays, 3 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 44 ayes, 0 nays, 1 present and not voting, and 4 excused and not voting.
COMMITTEE REPORT(S)
Transportation and Telecommunications

LEGISLATIVE BILL 1016. Placed on General File with amendment. AM2128 is available in the Bill Room.

(Signed) Curt Friesen, Chairperson
Government, Military and Veterans Affairs

LEGISLATIVE BILL 1104. Placed on General File.

(Signed) Tom Brewer, Chairperson

AMENDMENT(S) - Print in Journal

Senator McKinney filed the following amendment to LB450A:
AM2148
1 1. Strike the original section and insert the following new section:
2 Section 1. There is hereby appropriated (1) $11,000 from the
3 Innovation Hub Cash Fund and $5,000,000 from the General Fund for
4 FY2022-23 and (2) $11,000 from the Innovation Hub Cash Fund and
5 $5,000,000 from the General Fund for FY2023-24 to the Department of
6 Economic Development, for Program 603, to aid in carrying out the
7 provisions of Legislative Bill 450, One Hundred Seventh Legislature,
8 Second Session, 2022.
9 Total expenditures for permanent and temporary salaries and per
10 diems from funds appropriated in this section shall not exceed $134,140
11 for FY2022-23 or $159,550 for FY2023-24.

Senator Hunt filed the following amendment to LB598:
AM2126
1 1. Strike amendment 1 and insert the following new amendment:
2 1. Strike original section 5 and insert the following new sections:
3 Sec. 6. Section 48-3601, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 48-3601 Sections 48-3601 to 48-3609 shall be known and may be cited
6 as the Nebraska Student-Athlete Name, Image, or Likeness Rights Fair Pay
7 to Play Act.
8 Sec. 7. Section 48-3602, Reissue Revised Statutes of Nebraska, is
9 amended to read:
10 48-3602 For purposes of the Nebraska Student-Athlete Name, Image, or
11 Likeness Rights Fair Pay to Play Act:
12 (1) Athletic grant-in-aid means the money given to a student-athlete
13 by a postsecondary institution for tuition, fees, room, board, and
14 textbooks as consideration for the student-athlete's participation in an
15 intercollegiate sport for such postsecondary institution and does not
16 include compensation for the use of the student-athlete's name, image, or
17 likeness rights or athletic reputation;
18 (2) Collegiate athletic association means any athletic association,
19 conference, or other group or organization with authority over
20 intercollegiate sports;
21 (3) Compensation for the use of a student-athlete's name, image, or
22 likeness rights or athletic reputation includes, but is not limited to,
23 consideration received pursuant to an endorsement contract as defined in
24 section 48-2602;
25 (4) Intercollegiate sport has the same meaning as in section
26 48-2602;
27 (5) Postsecondary institution has the same meaning as in section
28 85-2403;
29 (6) Professional representation includes, but is not limited to,
30 representation provided by an athlete agent holding a certificate of
31 registration under the Nebraska Uniform Athlete Agents Act, a financial
32 advisor registered under the Securities Act of Nebraska, or an attorney
33 admitted to the bar by order of the Supreme Court of this state;
34 (7) Sponsor means an individual or organization that pays money or
35 provides goods or services in exchange for advertising rights;
36 (8) Student-athlete has the same meaning as in section 48-2602; and
37 (9) Team contract means a contract between a postsecondary
38 institution or a postsecondary institution's athletic department and a
39 sponsor.
40 Sec. 8. Section 48-3603, Reissue Revised Statutes of Nebraska, is
41 amended to read:
42 48-3603 (1) No postsecondary institution shall uphold any rule,
43 requirement, standard, or limitation that prevents a student-athlete from
44 fully participating in an intercollegiate sport for such postsecondary
45 institution because such student-athlete earns compensation for the use
46 of such student-athlete's name, image, or likeness rights or athletic
47 reputation.
48 (2) No collegiate athletic association shall penalize a student-
49 athlete or prevent a student-athlete from fully participating in an
50 intercollegiate sport because such student-athlete earns compensation for
51 the use of such student-athlete's name, image, or likeness rights or
52 athletic reputation.
53 (3) No collegiate athletic association shall penalize a
54 postsecondary institution or prevent a postsecondary institution from
55 fully participating in an intercollegiate sport because a student-athlete
56 participating in an intercollegiate sport for such postsecondary
57 institution earns compensation for the use of such student-athlete's
58 name, image, or likeness rights or athletic reputation.
59 (4) No postsecondary institution shall allow compensation earned by
60 a student-athlete for the use of such student-athlete's name, image, or
61 likeness rights or athletic reputation to affect the duration, amount, or
62 eligibility for or renewal of any athletic grant-in-aid or other
63 institutional scholarship, except that compensation earned by a student-
64 athlete for the use of such student-athlete's name, image, or likeness
65 rights or athletic reputation may be used for the calculation of income
66 for determining eligibility for need-based financial aid.
67 (5) The compensation a student-athlete earns for the use of the
68 student-athlete's name, image, or likeness must be for services actually
69 performed. Student-athletes shall not be paid for contracts that (a)
70 extend beyond the student-athlete's participation in an athletic program
71 at a postsecondary institution, (b) involve the sale or exchange of
72 awards or other items received for athletic participation, (c) involve
73 compensation from a postsecondary institution or a postsecondary
74 institution's employees, or (d) provide compensation for work not
75 performed.
76 (6) Student-athletes may be prohibited from entering into contracts
77 or agreements or engaging in activity related to the use of the student-
78 athlete's name, image, or likeness for products, services, entities, or
79 activities reasonably deemed to be inconsistent with the educational
80 mission of the postsecondary institution by such postsecondary
81 institution.
82 (7) Nothing in the Nebraska Student-Athlete Name, Image, or Likeness
Rights Act shall limit the ability of a postsecondary institution to establish and enforce standards, requirements, regulations, or obligations for such postsecondary institution's students not inconsistent with the act.

Nothing in the Nebraska Student-Athlete Name, Image, or Likeness trademark, service mark, logo, symbol, or other intellectual property that belongs to the postsecondary institution, regardless of whether the intellectual property is registered, to further the student-athlete's opportunities to earn compensation for the use of the student-athlete's name, image, or likeness.

Sec. 9. Section 48-3604, Reissue Revised Statutes of Nebraska, is amended to read:

Any student-athlete who enters into a contract or agreement that provides compensation for the use of such student-athlete's name, image, or likeness rights or athletic reputation shall disclose such contract or agreement to an official of the postsecondary institution for which such student-athlete participates in an intercollegiate sport. The official to which such contract or agreement shall be disclosed shall be designated by each postsecondary institution, and the designation shall be communicated in writing to each student-athlete participating in an intercollegiate sport for such postsecondary institution. Unless otherwise required by law, each postsecondary institution shall be prohibited from disclosing any terms of such contract or agreement that the student-athlete or the student-athlete's professional representation deems to be a trade secret or otherwise nondisclosable.

Sec. 10. Section 48-3605, Reissue Revised Statutes of Nebraska, is amended to read:

(1) No student-athlete shall enter into a contract or agreement with a sponsor that provides compensation to the student-athlete for use of the student-athlete's name, image, and likeness rights or athletic reputation if (a) such contract or agreement requires such student-athlete to display such sponsor's apparel or to otherwise advertise for the sponsor during official team activities and (b) compliance with such contract or agreement requirement would conflict with a team contract. Any postsecondary institution asserting such conflict shall disclose to the student-athlete and the student-athlete's professional representation, if applicable, the full team contract that is asserted to be in conflict. The student-athlete and the student-athlete's professional representation, if applicable, shall be prohibited from disclosing any terms of a team contract that the postsecondary institution deems to be a trade secret or otherwise nondisclosable.

(2) No team contract shall prevent a student-athlete from receiving compensation for the use of such student-athlete's name, image, and likeness rights or athletic reputation when the student-athlete is not engaged in official team activities.

Sec. 11. Section 48-3606, Reissue Revised Statutes of Nebraska, is amended to read:

(1) No postsecondary institution or collegiate athletic association shall penalize a student-athlete or prevent a student-athlete from fully participating in an intercollegiate sport because such student-athlete obtains professional representation in relation to a contract or legal matter related to the use of the student-athlete's name, image, or likeness.

(2) No collegiate athletic association shall penalize a postsecondary institution or prevent a postsecondary institution from fully participating in an intercollegiate sport because a student-athlete participating in an intercollegiate sport for such postsecondary institution obtains professional representation in relation to a contract or legal matter related to the use of the student-athlete's name, image,
24 or likeness.
25 (3) A postsecondary institution may offer education and training to
26 student-athletes to aid them in understanding the opportunities that may
27 become available to them for the use of their name, image, or likeness,
28 including education in the areas of networking and communication, brand-
29 building and management, financial literacy, and compliance.
30 Sec. 12. Section 48-3607, Reissue Revised Statutes of Nebraska, is
31 amended to read:
1 48-3607 (1) The Nebraska Student-Athlete Name, Image, or Likeness
2 Rights Fair Pay to Play Act shall not be applied in a manner that
3 violates any contract in effect prior to the date determined by a
4 postsecondary institution pursuant to section 48-3609 with regard to such
5 postsecondary institution or any student-athlete who participates in an
6 intercollegiate sport for such postsecondary institution for as long as
7 such contract remains in effect without modification.
8 (2) On and after the date determined by a postsecondary institution
9 pursuant to section 48-3609, such postsecondary institution shall not
10 enter into, modify, or renew any contract in a manner that conflicts with
11 the Nebraska Student-Athlete Name, Image, or Likeness Rights Fair Pay to
12 Play Act.
13 Sec. 13. Section 48-3608, Reissue Revised Statutes of Nebraska, is
14 amended to read:
15 48-3608 (1) A student-athlete or a postsecondary institution
16 aggrieved by a violation of the Nebraska Student-Athlete Name, Image, or
17 Likeness Rights Fair Pay to Play Act may bring a civil action against the
18 postsecondary institution or collegiate athletic association committing
19 such violation.
20 (2) A plaintiff who prevails in an action under the Nebraska
21 Student-Athlete Name, Image, or Likeness Rights Fair Pay to Play Act
22 shall be entitled to:
23 (a) Actual damages;
24 (b) Such preliminary and other equitable or declaratory relief as
25 may be appropriate; and
26 (c) Reasonable attorney’s fees and other litigation costs reasonably
27 incurred.
28 (3) A public postsecondary institution may be sued upon claims
29 arising under the Nebraska Student-Athlete Name, Image, or Likeness
30 Rights Fair Pay to Play Act only to the extent allowed under the State
31 Tort Claims Act, the State Contract Claims Act, or the State
32 Miscellaneous Claims Act, except that a civil action for a violation of
33 the Nebraska Student-Athlete Name, Image, or Likeness Rights Fair Pay to
34 Play Act may only be brought within one year after the cause of action
35 has accrued.
36 Sec. 14. Section 48-3609, Reissue Revised Statutes of Nebraska, is
37 amended to read:
38 48-3609 Each postsecondary institution shall determine a date on or
39 before July 1, 2023, upon which the Nebraska Student-Athlete Name, Image,
40 or Likeness Rights Fair Pay to Play Act shall begin to apply to such
41 postsecondary institution and the student-athletes who participate in an
42 intercollegiate sport for such postsecondary institution and to any
43 collegiate athletic association or professional representation in
44 interactions with such postsecondary institution or student-athletes.
45 Sec. 15. Sections 6, 7, 8, 9, 10, 11, 12, 13, 14, and 16 of this act
46 become operative three calendar months after the adjournment of this
47 legislative session. The other sections of this act become operative on
48 their effective date.
49 Sec. 16. Original sections 48-3601, 48-3602, 48-3603, 48-3604,
50 48-3605, 48-3606, 48-3607, 48-3608, and 48-3609, Reissue Revised Statutes
51 of Nebraska, are repealed.
RESOLUTION(S)

LEGISLATIVE RESOLUTION 316. Introduced by Wishart, 27.

WHEREAS, the 2022 Nebraska School Activities Association State Swimming and Diving Championships were held from February 24 through February 26 at Bob Devaney Sports Center in Lincoln; and
WHEREAS, the Lincoln Southwest High School Boys and Girls Swimming and Diving Teams competed in and won the NSAA State Swimming and Diving Championships; and
WHEREAS, this is the first time since 1994 that the boys and girls state swimming championships were won by the same school; and
WHEREAS, this was the second consecutive year the Boys Swimming and Diving team won the State Championship; and
WHEREAS, the leadership of Coaches Ross Mueller, Tiffany Hale, and Erik Gustafson contributed to the success of both teams; and
WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature congratulates the Lincoln Southwest High School Boys and Girls Swimming and Diving Teams on winning the 2022 NSAA State Swimming and Diving Championships.
2. That a copy of this resolution be sent to the Lincoln Southwest High School as well as Coaches Ross Mueller, Tiffany Hale, and Erik Gustafson.

Laid over.

MOTION(S) - Print in Journal

Senator Brewer filed the following motion to LB773: MO151 Place on General File pursuant to Rule 3, Section 20(b).

MESSAGE(S) FROM THE GOVERNOR

March 3, 2022

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 685 and 700e were received in my office on February 25, 2022.
Engrossed Legislative Bills 592, 708, 754, 758, and 892 were received in my office on February 28, 2022. These bills were signed and delivered to the Secretary of State on March 3, 2022.

Sincerely,
(Signed) Pete Ricketts
Governor

SENATOR WILLIAMS PRESIDING

GENERAL FILE

LEGISLATIVE BILL 752. Title read. Considered.

Committee AM1918, found on page 592, was offered.

Senator DeBoer offered her amendment, AM2103, found on page 697, to the committee amendment.

The DeBoer amendment was adopted with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

The committee amendment, as amended, was adopted with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

AMENDMENT(S) - Print in Journal

Senator Gragert filed the following amendment to LB1082: AM1991
1 1. Insert the following new section:
2 Section 1. Section 37-201, Revised Statutes Supplement, 2021, is
3 amended to read:
4 37-201 Sections 37-201 to 37-811 and 37-1501 to 37-1510 and section
5 2 of this act and the State Park System Construction Alternatives Act
6 shall be known and may be cited as the Game Law.
7 2. On page 3, line 10, after "adopt" insert "and promulgate"; and in
8 line 17 strike "1" and insert "2".
9 3. Renumber the remaining sections and correct the repealer
10 accordingly.

GENERAL FILE

LEGISLATIVE BILL 805. Title read. Considered.

Committee AM1976, found on page 623, was adopted with 32 ayes, 1 nay, 11 present and not voting, and 5 excused and not voting.
Advanced to Enrollment and Review Initial with 33 ayes, 5 nays, 6 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 896. Title read. Considered.

SENATOR ARCH PRESIDING

Committee AM1930, found on page 577, was adopted with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 1273. Title read. Considered.

Committee AM2005, found on page 620, was adopted with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 4 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 1273A. Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 917. Title read. Considered.

SPEAKER HILGERS PRESIDING

Advanced to Enrollment and Review Initial with 38 ayes, 1 nay, 6 present and not voting, and 4 excused and not voting.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 301, 302, and 303 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 301, 302, and 303.

GENERAL FILE

LEGISLATIVE BILL 917A. Title read. Considered.

Advanced to Enrollment and Review Initial with 34 ayes, 1 nay, 9 present and not voting, and 5 excused and not voting.
Senator B. Hansen filed the following amendment to LB1250:
**AMENDMENT(S) - Print in Journal**

1. On page 2, lines 26 and 27, strike the new matter and reinstate 2 the stricken matter.

Senator B. Hansen filed the following amendment to LB1251:
**AMENDMENT(S) - Print in Journal**

1. Strike the original sections and insert the following new sections:
   3 Section 1. Sections 1 to 10 of this act shall be known and may be cited as the Equal Opportunity Scholarship for Students with Special Needs Program Act.
   6 Sec. 2. For purposes of the Equal Opportunity Scholarship for Students with Special Needs Program Act:
   8 (1) Department means the State Department of Education;
   9 (2) Eligible student means any elementary or secondary student who is a student with exceptional needs and who received special education services under an individualized education plan or plan under Section 304 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794, as such act existed on January 1, 2022, and attended a public school in Nebraska for at least one course of the preceding semester, is starting school in Nebraska for the first time, or has been denied option enrollment by a public school pursuant to section 79-234;
   10 (3) Equal Opportunity Scholarship or scholarship means a scholarship granted under the Equal Opportunity Scholarship for Students with Special Needs Program Act;
   11 (4) Parent means an individual who is a parent, guardian, custodian, or other person with the authority to act on behalf of an eligible student;
   13 (5) Participating school means a school that fulfills the applicable accreditation or approval requirements established by the State Board of Education pursuant to section 79-318;
   14 (6) Program means the Equal Opportunity Scholarship for Students with Special Needs Program;
   15 (7) Resident school district means the public school district in which the student resides;
   8 (8) Special education documents means:
   11 (a) An individual education plan under the Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., as such act existed on January 1, 2022;
   12 (b) An education plan under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794, as such act existed on January 1, 2022;
   13 (c) Any and all documents related to progress monitoring, growth, or student behavior or other documents that were developed to assist the student in such student's progress; or
   14 (d) A learning plan developed by a nonpublic school in conjunction with the teachers and parents of an eligible student and includes student
15 strengths, learning goals, qualitative records of student progress, and
16 quantitative data collection of student progress, and which is reviewed
17 no less than once per semester;
18 (9) Tier A level of intervention means the support needed for an
19 eligible student with a diagnosis and individualized education plan for
20 autism, emotional disturbance, dual sensory impairment, multiple
21 impairments or disabilities, visual impairment, hearing impairment,
22 orthopedic impairment, traumatic brain injury, or other qualifying needs
23 as determined by the department;
24 (10) Tier B level of intervention means the support needed for an
25 eligible student with a diagnosis and individualized education plan or a
26 disability under Section 504 of the federal Rehabilitation Act of 1973,
27 20 U.S.C. 794, as such act existed on January 1, 2022, for an emotional
28 handicap, learning disability, mild mental handicap, developmental delay,
29 other moderate health impairment, or other qualifying needs as determined
30 by the department;
31 (11) Tier C level of intervention means the support needed for an
32 eligible student identified with a disability under Section 504 of the
33 federal Rehabilitation Act of 1973, 29 U.S.C. 794, as such act existed on
34 January 1, 2022, who has been diagnosed as dyslexic or has an individual
35 education plan for speech, language, a specific learning disability, or
36 other qualifying need as determined by the department, and
37 (12) Tier D level of intervention means the support needed for an
38 eligible student who attends a participating school and was previously
39 receiving an Equal Opportunity Scholarship but who no longer requires
40 special education services;
41 Sec. 3. (1) The parents of an eligible student shall receive an
42 Equal Opportunity Scholarship for such student to attend the
43 participating school of their choice. The amount of the scholarship shall
44 be based upon the current year’s statewide average basic funding per
45 student as determined by the department. The parents of:
46 (a) An eligible student qualified for a Tier A level of intervention
47 shall receive one hundred fifty percent of the current year’s statewide
48 average basic funding per student;
49 (b) An eligible student qualified for a Tier B level of intervention
50 shall receive one hundred percent of the current year’s statewide average
51 basic funding per student;
52 (c) An eligible student qualified for a Tier C level of intervention
53 shall receive seventy-five percent of the current year’s statewide
54 average basic funding per student; and
55 (d) An eligible student qualified for a Tier D level of intervention
56 shall receive fifty percent of the current year’s statewide average basic
57 funding per student as determined by the department as long as the
58 student remains in the participating school in which the student received
59 a Tier A, Tier B, or Tier C level of intervention.
60 (2) If an eligible student has scholarship funds remaining upon
61 graduation from a participating school, the funds may be rolled over for
62 educational use at a postsecondary institution for up to one year.
63 (3)(a) An Equal Opportunities Scholarship shall remain in force
64 unless the student:
65 (i) Graduates from high school;
66 (ii) Reaches twenty-two years of age; or
67 (iii) Returns to public school;
68 (b) A parent may move such student from one participating school to
69 another participating school without losing the scholarship.
70 (4) An application for an Equal Opportunity Scholarship is
71 confidential and not a public record subject to release.
72 Sec. 4. (1) The department shall appoint a person or persons
73 responsible for:
74 (a) Annually reviewing scholarship applications, including special
13 education documents;
14 (b) Confirming applicant special education status;
15 (c) Assigning students to the appropriate level of intervention tier
16 if the student meets such requirements;
17 (d) Communicating acceptance or rejection of applications to the
18 applicants and the State Treasurer;
19 (e) Implementing a commercially viable, cost-effective, and parent-
20 friendly system for publicly reviewing and sharing information about
21 participating schools; and
22 (2) Appropriate classifying disabilities as required by subsection
23 (2) of this section,
24 (2) The department shall classify special education disabilities not
25 expressly listed in the definitions of Tier A, Tier B, Tier C, and Tier D
26 levels of intervention into an appropriate tier.
27 Sec. 5. (1) To ensure that students are treated fairly and kept
28 safe, a participating school shall:
29 (a) Comply with all health and safety laws or codes that apply to
30 such school;
31 (b) Hold a valid occupancy permit if required by the municipality in
32 which such school resides;
33 (c) Conduct background checks on potential employees;
34 (d) Exclude from employment any person not permitted by state law to
35 work in such school; and
36 (e) Exclude from employment any person that might reasonably pose a
37 threat to the safety of students.
38 (2) To ensure that students are receiving an appropriate academic
39 education, a participating school shall, unless as part of an
40 accommodation established in the eligible student's special education
41 document, require each eligible student to take nationally norm-
42 referenced tests that measure learning gains in mathematics and language
43 arts and provide such results to the parents of such student on an annual
44 basis, beginning with the first year of testing.
45 Sec. 6. A participating school is autonomous and not an agent of
46 the state or federal government and therefore;
47 (1) Except as otherwise provided by law, the department or any other
48 state agency shall not in any way regulate the educational program of a
49 participating school that accepts eligible students;
50 (2) The creation of the program does not expand the regulatory
51 authority of the state, its officers, or any school district to impose
52 any additional regulation on a participating school; and
53 (3) A participating school shall not be required to alter its creed,
54 practices, admissions policy, or curriculum.
55 (4) Based upon the school's ability to serve the student
56 appropriately, a participating school reserves the right to accept or
57 deny any student under the program;
58 Sec. 7. (1) A parent who applies for the program is exercising such
59 parent's option to place such parent's child in a private school. In
60 order to qualify for the program, a parent shall select the participating
61 school and apply for the admission of such parent's child and for the
62 program. No eligible student shall receive program funds until at least
63 sixty days after application for such program is received;
64 (2) Any student participating in the program shall remain in
65 attendance at a participating school throughout the school year unless
66 excused by the school for illness or other good cause
67 (3) Each parent and each student have an obligation to the
68 participating school to comply with the participating school's published
69 policies. A student and parent who do not comply may lose program
70 eligibility.
71 Sec. 8. The State Treasurer shall administer qualified Equal
72 Opportunity Scholarship funds in accordance with this section and shall:
11 (1) Ensure that eligible students and their parents are informed
12 annually of which schools will be participating in the program and which
13 level of intervention tiers such schools provide services for;
14 (2) Create a standard form that parents of eligible students can
15 submit to establish their student’s eligibility for the program;
16 (3) Ensure that the application is readily available to interested
17 families through various sources, including on the State Treasurer’s
18 website;
19 (4) Ensure compliance with all student privacy laws for forms and
20 information received by the State Treasurer;
21 (5) Administer an annual parental satisfaction survey that asks
22 parents of students receiving funds under the program to express;
23 (a) Their level of satisfaction with the program; and
24 (b) Their opinions on other topics, items, or issues that the
25 department finds would elicit information about the effectiveness of the
26 program;
27 (6) Ensure that parents of students with disabilities receive notice
28 that participation in the program is considered a parental placement
29 under the Individuals with Disabilities Act 20 U.S.C. 1400 et seq., as
30 amended, and that parental placement existed on January 1, 2022, along with an explanation of the
31 rights that parentally placed students possess under such act and any
32 applicable state laws and regulations;
33 (7) Implement or contract with a private organization to implement a
34 commercially viable, cost-effective, and parent-friendly system for
35 payment on behalf of a parent and the eligible student to a participating
36 school, including, but not limited to, the use of electronic or online
37 fund transfers, except that the scholarship may not be reduced for
38 electronic payment fees; and
39 (8) Not less than twice per year, implement a system for payment to
40 eligible education freedom account families that use electronic or online
41 funds transfer.
42 Sec. 9. A resident school district shall provide a participating
43 school that has admitted an eligible student under the program from such
44 resident school district with a complete copy of the such student’s
45 school records and special education documents, while complying with the
46 federal Family Educational Rights and Privacy Act of 1974, as amended, 20
47 U.S.C. 1232g, and all federal regulations and applicable guidelines
48 adopted in accordance with such act, as such act, regulations, and
49 guidelines existed on January 1, 2022.
50 Sec. 10. (1) The Equal Opportunities Scholarship Fund is created.
51 The fund shall be used to carry out the Equal Opportunities Scholarship
52 for Students with Special Needs Program Act. The fund shall consist of:
53 (a) Transfers by the Legislature; and
54 (b) Any gifts, grants, bequests, or donations to the fund.
55 (2) The State Treasurer shall administer the fund. Any money in the
56 fund available for investment shall be invested by the state investment
57 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
58 State Funds Investment Act. The State Treasurer may deduct from the fund
59 an amount necessary to cover the costs of administering the program, up
60 to a limit of two percent.
61 Sec. 11. Section 9-812, Revised Statutes Supplement, 2021, is
62 amended to read:
63 1 9-812 (1) All money received from the operation of lottery games
64 conducted pursuant to the State Lottery Act in Nebraska shall be credited
65 to the State Lottery Operation Trust Fund, which fund is hereby created.
66 (2) All payments of the costs of establishing and maintaining the lottery
67 games shall be made from the State Lottery Operation Cash Fund. In
68 accordance with legislative appropriations, money for payments for
69 expenses of the division shall be transferred from the State Lottery
70 Operation Trust Fund to the State Lottery Operation Cash Fund, which fund
9 is hereby created. All money necessary for the payment of lottery prizes
10 shall be transferred from the State Lottery Operation Trust Fund to the
11 State Lottery Prize Trust Fund, which fund is hereby created. The amount
12 used for the payment of lottery prizes shall not be less than forty
13 percent of the dollar amount of the lottery tickets which have been sold.
14 (a) A portion of the dollar amount of the lottery tickets which have
15 been sold on an annualized basis shall be transferred from the State
16 Lottery Operation Trust Fund to the Education Innovation Fund, the
17 Nebraska Opportunity Grant Fund, the Nebraska Education Improvement Fund,
18 the Nebraska Environmental Trust Fund, the Nebraska State Fair Board, and
19 the Compulsive Gamblers Assistance Fund as provided in subsection (3) of
20 this section. The dollar amount transferred pursuant to this subsection
21 shall equal the greater of (a) the dollar amount transferred to the funds
22 in fiscal year 2002-03 or (b) any amount which constitutes at least
23 twenty-two percent and no more than twenty-five percent of the dollar
24 amount of the lottery tickets which have been sold on an annualized
25 basis. To the extent that funds are available, the Tax Commissioner and
26 director may authorize a transfer exceeding twenty-five percent of the
27 dollar amount of the lottery tickets sold on an annualized basis.
28 (b) Of money available to be transferred to the Education
29 Innovation Fund, the Nebraska Opportunity Grant Fund, the Nebraska
30 Education Improvement Fund, the Nebraska Environmental Trust Fund, the
31 Nebraska State Fair Board, the Equal Opportunities Scholarship Fund, and
1 the Compulsive Gamblers Assistance Fund:
2 (a) The first five hundred thousand dollars shall be transferred to
3 the Compulsive Gamblers Assistance Fund to be used as provided in section
4 9-1006;
5 (b) Beginning in fiscal year 2022-23, after the initial transfer to
6 the Compulsive Gamblers Assistance Fund, five million dollars shall be
7 transferred to the Equal Opportunities Scholarship Fund to be used as
8 provided in section 10 of this act;
9 (c) Forty-four and one-half percent of the money remaining after
10 the payment of prizes and operating expenses and the initial transfers to the
11 Equal Opportunities Scholarship Fund shall be
12 transferred to the Nebraska Education Improvement Fund;
13 (d) Forty-four and one-half percent of the money remaining after
14 the payment of prizes and operating expenses and the initial transfers to
15 the Equal Opportunities Scholarship Fund shall be
16 transferred to the Nebraska
17 Gamblers Assistance Fund shall be transferred to the Nebraska
18 Environmental Trust Fund to be used as provided in the Nebraska
19 Environmental Trust Act;
20 (e) Ten percent of the money remaining after the payment of
21 prizes and operating expenses and the initial transfers to the Equal
22 Opportunities Scholarship Fund and transfer to the Compulsive Gamblers
23 Assistance Fund shall be transferred to the Nebraska State Fair Board if
24 the most populous city within the county in which the fair is located
25 provides matching funds equivalent to ten percent of the funds available
26 for transfer. Such matching funds may be obtained from the city and any
27 other public or private entity, except that no portion of such matching
28 funds shall be provided by the state. If the Nebraska State Fair ceases
29 operations, ten percent of the money remaining after the payment of
30 prizes and operating expenses and the initial transfer to the Compulsive
31 Gamblers Assistance Fund shall be transferred to the General Fund; and
1 (f) One percent of the money remaining after the payment of
2 prizes and operating expenses and the initial transfers to the Equal
3 Opportunities Scholarship Fund and transfer to the Compulsive Gamblers
4 Assistance Fund shall be transferred to the Compulsive Gamblers
5 Assistance Fund to be used as provided in section 9-1006.
6 (4) The Nebraska Education Improvement Fund is created. The fund
shall consist of money transferred pursuant to subsection (3) of this section, money transferred pursuant to section 85-1920, and any other funds appropriated by the Legislature. The fund shall be allocated, after actual and necessary administrative expenses, as provided in this section for fiscal years 2016-17 through 2023-24. A portion of each allocation may be retained by the agency to which the allocation is made or the agency administering the fund to which the allocation is made for actual and necessary expenses incurred by such agency for administration, evaluation, and technical assistance related to the purposes of the allocation, except that no amount of the allocation to the Nebraska Opportunity Grant Fund may be used for such purposes. On or before December 31, 2022, the Education Committee of the Legislature shall electronically submit recommendations to the Clerk of the Legislature regarding how the fund should be allocated to best advance the educational priorities of the state for the five-year period beginning with fiscal year 2024-25. For fiscal year 2016-17, an amount equal to ten percent of the revenue allocated to the Education Innovation Fund and to the Nebraska Opportunity Grant Fund for fiscal year 2015-16 shall be retained in the Nebraska Education Improvement Fund. For fiscal years 2017-18 through 2023-24, an amount equal to ten percent of the revenue received by the Nebraska Education Improvement Fund in the prior fiscal year shall be retained in the fund at all times plus any interest earned during the current fiscal year. For fiscal years 2016-17 through 2023-24, the remainder of the fund shall be allocated as follows:

1. One percent of the allocated funds to the Expanded Learning Opportunity Grant Fund to carry out the Expanded Learning Opportunity Program Act;
2. Seventeen percent of the allocated funds to the Department of Education Innovative Grant Fund to be used for competitive innovation grants pursuant to section 79-1054;
3. Nine percent of the allocated funds to the Community College Gap Assistance Program Fund to carry out the community college gap assistance program;
4. Eight percent of the allocated funds to the Excellence in Teaching Cash Fund to carry out the Excellence in Teaching Act;
5. Sixty-two percent of the allocated funds to the Nebraska Opportunity Grant Fund to carry out the Nebraska Opportunity Grant Act in conjunction with appropriations from the General Fund; and
6. Three percent of the allocated funds to fund distance education incentives pursuant to section 79-1337.

On or before September 20, 2022, and on or before September 20, 2023, and on or before each September 20 thereafter, (i) any department or agency receiving a transfer or acting as the administrator for a fund receiving a transfer pursuant to subsection (4) of this section, (ii) any recipient or subsequent recipient of money from any such fund, and (iii) any service contractor responsible for managing any portion of any such fund or any money disbursed from any such fund on behalf of any entity shall prepare and submit an annual report to the Auditor of Public Accounts in a manner prescribed by the auditor for the immediately preceding July 1 through June 30 fiscal year detailing information regarding the use of such fund or such money.

The Auditor of Public Accounts shall annually compile a summary of the annual reports received pursuant to subdivision (5)(a) of this section, any audits related to transfers pursuant to subsection (4) of this section conducted by the Auditor of Public Accounts, and any findings or recommendations related to such transfers into a consolidated annual report and shall submit such consolidated annual report electronically to the Legislature on or before January 1, 2023, and on or before each January 1 thereafter.

For purposes of this subsection, recipient, subsequent
recipient, or service contractor means a nonprofit entity that expends
6 funds transferred pursuant to subsection (4) of this section to carry out
7 a state program or function, but does not include an individual who is a
8 direct beneficiary of such a program or function.
9 (6) Any money in the State Lottery Operation Trust Fund, the State
10 Lottery Operation Cash Fund, the State Lottery Prize Trust Fund, or the
11 Nebraska Education Improvement Fund available for investment shall be
12 invested by the state investment officer pursuant to the Nebraska Capital
13 Expansion Act and the Nebraska State Funds Investment Act.
14 (7) Unclaimed prize money on a winning lottery ticket shall be
15 retained for a period of time prescribed by rules and regulations. If no
16 claim is made within such period, the prize money shall be used at the
17 discretion of the Tax Commissioner for any of the purposes prescribed in
18 this section.
19 Sec. 12. This act becomes operative on August 1, 2023.
20 Sec. 13. Original section 9-812, Revised Statutes Supplement, 2021,
21 is repealed.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 317. Introduced by Blood, 3.

WHEREAS, Spina Bifida is the most common permanently disabling
birth defect, occurring when the spine and spinal cord do not form properly
within the first thirty days of pregnancy and impacting approximately one
thousand five hundred births each year in the United States; and
WHEREAS, individuals living with Spina Bifida may have multiple
medical conditions including: walking and mobility issues from paralysis,
bowel and bladder problems, hydrocephalus, latex allergies, pressure sores,
and Arnold Chiari malformation type II; and
WHEREAS, there is no cure for Spina Bifida and what causes it to form is
unknown; and
WHEREAS, the medical community recommends that women who could
become pregnant take four hundred micrograms of folic acid daily to help
prevent neural tube defects such as Spina Bifida; and
WHEREAS, through years of research and with the information
discovered, people with Spina Bifida tend to live normal and independent
lives; and
WHEREAS, individuals and families living with Spina Bifida deserve support from the State of Nebraska through public awareness.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE
ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND
SESSION:
1. That the Legislature recognizes October 2022 as Spina Bifida
Awareness Month.
2. That the Legislature encourages the Department of Health and Human
Services to continue educating Nebraska families about the risks and the
treatment of this condition.

Laid over.
LEGISLATIVE BILL 741. Placed on Select File with amendment.

ER122
1. On page 1, strike lines 2 through 6 and insert "amend sections
2 71-3404, 71-3407, 71-3408, 71-3409, 71-3410, and 71-3411, Reissue Revised
3 Statutes of Nebraska, and sections 71-3405 and 71-3406, Revised Statutes
4 Cumulative Supplement, 2020; to define and redefine terms; to provide for
5 the review of stillbirths; to change the State Child and Maternal Death
6 Review Team into the State Child Death Review Team and the State Maternal
7 Death Review Team; to change provisions relating to membership and duties
8 of such teams; to provide for data abstractors and coordinators; to
9 harmonize provisions; and to repeal the original sections.".

LEGISLATIVE BILL 780. Placed on Select File with amendment.

ER123
1 1. On page 1, strike beginning with "employment" in line 1 through
2 line 6 and insert "labor; to amend sections 48-302, 48-303, and 48-675,
3 Reissue Revised Statutes of Nebraska; to change provisions relating to an
4 employment certificate for the employment of a child; to change
5 provisions relating to a short-time compensation plan; to harmonize
6 provisions; and to repeal the original sections.".

LEGISLATIVE RESOLUTION 283CA. Placed on Select File.

LEGISLATIVE BILL 998. Placed on Select File with amendment.

ER124
1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Section 13-3301, Revised Statutes Supplement, 2021, is
4 amended to read:
5 13-3301 Sections 13-3301 to 13-3313 and section 4 of this act shall
6 be known and may be cited as the Municipal Inland Port Authority Act.
7 Sec. 2. Section 13-3303, Revised Statutes Supplement, 2021, is
8 amended to read:
9 13-3303 For purposes of the Municipal Inland Port Authority Act:
10 (1) Board means the board of commissioners of an inland port
11 authority;
12 (2) City means any city of the metropolitan class, city of the
13 primary class, or city of the first class which contains an area eligible
14 to be designated as an inland port district;
15 (3) Direct financial benefit means any form of financial benefit
16 that accrues to an individual directly, including compensation,
17 commission, or any other form of a payment or increase of money, or an
18 increase in the value of a business or property. Direct financial benefit
19 does not include a financial benefit that accrues to the public
20 generally;
21 (4) Family member means a spouse, parent, sibling, child, or
22 grandchild;
23 (5) Inland port authority means an authority created by a city,
24 county, or a city and one or more counties under the Municipal Inland
25 Port Authority Act to manage an inland port district;
26 (6) Inland port district means an area within the corporate
27 boundaries or extraterritorial zoning jurisdiction or both of a city,
1 within the boundaries of one or more counties, or within both the
2 corporate boundaries or extraterritorial zoning jurisdiction or both of a
3 city and the boundaries of one or more counties, and which meets at least
4 two of the following criteria:
5 (a) Is located within one mile of a navigable river or other
6 navigable waterway;
7 (b) Is located within one mile of a major rail line;
8 (c) Is located within two miles of any portion of the federally
9 designated National System of Interstate and Defense Highways or any
10 other four-lane divided highway; or
11 (d) Is located within two miles of a major airport;
12 (7) Intermodal facility means a hub or other facility for trade
13 combining any combination of rail, barge, trucking, air cargo, or other
14 transportation services;
15 (8) Major airport means an airport with commercial service as
16 defined by the Federal Aviation Administration; and
17 (9) Major rail line means a rail line that is accessible to a Class
18 I railroad as defined by the federal Surface Transportation Board; and 7
19 (10) Nonprofit economic development corporation means a chamber of
20 commerce or other mutual benefit or public benefit corporation organized
21 under the Nebraska Nonprofit Corporation Act to assist economic
22 development.
23 Sec. 3. Section 13-3304, Revised Statutes Supplement, 2021, is
24 amended to read:
25 13-3304 (1) Any city which encompasses an area greater than three
26 hundred acres eligible to be designated as an inland port district may
27 propose to create an inland port authority by ordinance, subject to the
28 cap on the total number of inland port districts provided in subsection
29 (4) of this section. In determining whether to propose the creation of an
30 inland port authority, the city shall consider the following criteria:
31 (a) The desirability and economic feasibility of locating an inland
1 port district within the corporate boundaries, extraterritorial zoning
2 jurisdiction, or both of the city;
3 (b) The technical and economic capability of the city and any other
4 public and private entities to plan and carry out development within the
5 proposed inland port district;
6 (c) The strategic location of the proposed inland port district in
7 proximity to existing and potential transportation infrastructure that is
8 conducive to facilitating regional, national, and international trade and
9 the businesses and facilities that promote and complement such trade;
10 (d) The potential impact that development of the proposed inland
11 port district will have on the immediate area; and
12 (e) The regional and statewide economic impact of development of the
13 proposed inland port district.
14 (2) Any city and one or more counties in which a city of the
15 metropolitan class, city of the primary class, or city of the first class
16 is located, or in which the extraterritorial zoning jurisdiction of such
17 city is located, which encompass an area greater than three hundred acres
18 eligible to be designated as an inland port district may enter into an
19 agreement pursuant to the Interlocal Cooperation Act to propose joint
20 creation of an inland port authority, subject to the cap on the total
21 number of inland port districts provided in subsection (4) of this
22 section. In determining whether to propose the creation of an inland port
23 authority, the city and counties shall consider the following criteria:
24 (a) The desirability and economic feasibility of locating an inland
25 port district within the corporate boundaries or extraterritorial zoning
26 jurisdiction or both of the city, or within both the corporate boundaries
27 or extraterritorial zoning jurisdiction or both of a city and the
28 boundaries of one or more counties;
29 (b) The technical and economic capability of the city and county or
30 counties and any other public and private entities to plan and carry out
31 development within the proposed inland port district;
1 (c) The strategic location of the proposed inland port district in proximity to existing and potential transportation infrastructure that is conducive to facilitating regional, national, and international trade and the businesses and facilities that promote and complement such trade;
2 (d) The potential impact that development of the proposed inland port district will have on the immediate area; and
3 (e) The regional and statewide economic impact of development of the proposed inland port district.
4 Any county with a population greater than twenty thousand inhabitants according to the most recent federal census or the most recent revised certified count by the United States Bureau of the Census which encompasses an area greater than three hundred acres eligible to be designated as an inland port district may propose to create an inland port by resolution, subject to the cap on the total number of inland port districts provided in subsection (4) of this section. In determining whether to propose the creation of an inland port authority, the county shall consider the following criteria:
5 (a) The desirability and economic feasibility of locating an inland port district within the county;
6 (b) The technical and economic capability of the county and any other public or private entities to plan and carry out development within the proposed inland port district;
7 (c) The strategic location of the proposed inland port district in proximity to existing and potential transportation infrastructure that is conducive to facilitating regional, national, and international trade and the businesses and facilities that promote and complement such trade;
8 (d) The potential impact that development of the proposed inland port district will have on the immediate area; and
9 (e) The regional and statewide economic impact of development of the proposed inland port district.
10 No more than five inland port districts may be designated statewide. No inland port authority shall designate more than one inland port district, and no inland port authority may be created without also designating an inland port district.
11 Following the adoption of an ordinance, resolution, or execution of an agreement pursuant to the Interlocal Cooperation Act proposing creation of an inland port authority, the city clerk or county clerk shall transmit a copy of such ordinance, resolution, or agreement to the Department of Economic Development along with an application for approval of the proposal. Upon receipt of such ordinance, resolution, or agreement, the department shall evaluate the proposed inland port authority to determine whether the proposal meets the criteria in subsection (1), (2), or (3) of this section, whichever is applicable, as well as any prioritization criteria developed by the department. Upon a determination that the proposed inland port authority sufficiently meets such criteria, the Director of Economic Development shall certify to the city clerk or county clerk whether the proposed creation of such inland port authority exceeds the cap on the total number of inland ports pursuant to subsection (4) of this section. If the department determines that the proposed inland port authority sufficiently meets such criteria and does not exceed such cap, the inland port authority shall be deemed created. If the proposed inland port authority does not sufficiently meet such criteria or exceeds such cap, the city shall repeal such ordinance, the county shall repeal such resolution, or the city and county or counties shall rescind such agreement and the proposed inland port authority shall not be created.

Sec. 4. (1) In the event that a city, a city and one or more counties, or a county, as such are described in subsections (1), (2), and (3) of section 13-3304, has or have not proposed to create an inland port authority as provided in such section, a nonprofit economic development
30 corporation which serves such city, such city and one or more counties,
31 or such county may propose to create an inland port authority using the
1 criteria in subsection (1), (2), or (3) of section 13-3304, whichever is
2 applicable, by submitting an application to the Department of Economic
3 Development.
4 (2) Following the submission of an application from a nonprofit
5 economic development corporation proposing the creation of an inland port
6 authority, the Department of Economic Development shall evaluate the
7 proposed inland port authority to determine whether the proposal meets
8 the criteria in subsection (1), (2), or (3) of section 13-3304, whichever
9 is applicable, as well as any prioritization criteria developed by the
ten department. Upon a determination that the proposed inland port
11 sufficiently meets such criteria, the Director of Economic Development
12 shall certify to the nonprofit economic development corporation and the
13 city clerk or county clerk or clerks whether the proposed creation of
14 such inland port authority exceeds the cap on the total number of inland
15 port districts pursuant to subsection (4) of section 13-3304. If the
16 proposed inland port authority sufficiently meets such criteria and does
17 not exceed such cap, such city, such city and one or more counties, or
18 county shall create an inland port authority pursuant to subsection
19 (1), (2), or (3) of section 13-3304, whichever is applicable, based on
20 the criteria utilized by the nonprofit economic development corporation
21 pursuant to subsection (1) of this section.
22 Sec. 5. Section 13-3305, Revised Statutes Supplement, 2021, is
23 amended to read:
24 13-3305 (1) The city council of any city which has created an inland
25 port authority pursuant to subsection (1) of section 13-3304 shall
26 designate what areas within the corporate limits, extraterritorial zoning
27 jurisdiction, or both of the city shall comprise the inland port
28 district, subject to the limitations of the Municipal Inland Port
29 Authority Act. The boundaries of any inland port district shall be filed
30 with the city clerk and shall become effective upon approval of the city
31 council. The city council may from time to time enlarge or reduce the
32 area comprising any inland port district, except that such district shall
33 not be reduced to an area less than three hundred acres. Any change of
34 boundaries shall be filed with the city clerk and become effective upon
35 such filing.
5 (2) The city council of any city and county board or boards of any
6 county or counties which have created an inland port authority pursuant
7 to subsection (2) of section 13-3304 shall designate what areas within
8 the corporate limits, extraterritorial zoning jurisdiction, or both of
9 the city or within the county or counties shall comprise the inland port
10 district, subject to the limitations of the Municipal Inland Port
11 Authority Act. The boundaries of any inland port district shall be filed
12 with the city clerk and the county clerk or clerks and shall become
13 effective upon approval of the city council and the county board or
14 boards. The city council and the county board or boards may from time to
15 time enlarge or reduce the area comprising any inland port district,
16 except that such district shall not be reduced to an area less than three
17 hundred acres. Any change of boundaries shall be filed with the city
18 clerk and the county clerk or clerks and become effective upon such
19 filing.
20 (3) The county board of any county which has created an inland port
21 authority pursuant to subsection (3) of section 13-3304 shall designate
22 what areas within the county shall comprise the inland port district,
23 subject to the limitations of the Municipal Inland Port Authority Act.
24 The boundaries of any inland port district shall be filed with the county
25 clerk and shall become effective upon approval of the county board. The
26 county board may from time to time enlarge or reduce the area comprising
27 any inland port district, except that such district shall not be reduced
28 to an area less than three hundred acres. Any change of boundaries shall
29 be filed with the county clerk and become effective upon such filing.
30 (4) Not more than twenty-five percent of the area within an inland
31 port district designated pursuant to this section may be noncontiguous
32 with the remaining portions of such inland port district. Such
33 noncontiguous area shall be no more than one-quarter mile from the
34 remaining portions of such inland port district.
35 (5) Nothing in this section shall require that any real property
36 located within the boundaries of an inland port district be owned by an
37 inland port authority or the city or county or counties in which such
38 real property is located.
39 Sec. 6. Section 13-3307, Revised Statutes Supplement, 2021, is
40 amended to read:
41 13-3307 (1) The State of Nebraska and any municipality, county, or
42 another political subdivision of the state may, in its discretion, with or
43 without consideration, transfer or cause to be transferred to any inland
44 port authority or place in its possession or control, by lease or other
45 contract or agreement, either for a limited period or in fee, any real
46 property within its inland port district.
47 (2) Nothing in this section shall:
48 (a) In any way impair, alter, or change any obligations of such
49 entities, contractual or otherwise, existing prior to August 28, 2021;
50 or
51 (b) Require that any real property located within the boundaries of
52 an inland port district be owned by an inland port authority or the city
53 or county or counties in which such real property is located.
54 Sec. 7. Section 81-12,150, Revised Statutes Supplement, 2021, is
55 amended to read:
56 81-12,150 The Department of Economic Development may adopt and
57 promulgate rules and regulations to carry out the Site and Building
58 Development Act, including rules and regulations relating to reviewing
59 and prioritizing inland port authority proposals pursuant to section
60 13-3304 and section 4 of this act and providing financial assistance to
61 any inland port authority created under the Municipal Inland Port
62 Authority Act.
63 Sec. 8. Original sections 13-3301, 13-3302, 13-3303, 13-3304, 13-3305,
64 13-3307, and 81-12,150, Revised Statutes Supplement, 2021, are repealed.
65 Sec. 9. Since an emergency exists, this act takes effect when
66 passed and approved according to law.
67 2. On page 1, strike lines 2 through 11 and insert "amend sections
68 13-3301, 13-3302, 13-3303, 13-3304, 13-3305, 13-3307, and 81-12,150, Revised
69 Statutes Supplement, 2021; to define a term; to change certification
70 provisions; to provide for prioritization of inland port authority
71 proposals by the Department of Economic Development; to provide for
72 creation of an inland port authority upon application by a nonprofit
73 economic development corporation; to change provisions relating to inland
74 port districts and rules and regulations relating to inland port
75 authority proposals; to harmonize provisions; to repeal the original
76 sections; and to declare an emergency."

LEGISLATIVE BILL 769. Placed on Select File.
LEGISLATIVE BILL 864. Placed on Select File.

LEGISLATIVE BILL 1065. Placed on Select File with amendment.
ER125 is available in the Bill Room.
BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1037A. Introduced by Arch, 14.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1037, One Hundred Seventh Legislature, Second Session, 2022; and to declare an emergency.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator M. Hansen name added to LB707.
Senator Sanders name added to LB752.
Senator Jacobson name added to LB825.
Senator Jacobson name added to LB1065.
Senator Vargas name added to LB1112.
Senator Vargas name added to LB1193.
Senator Brandt name added to LR284.

VISITOR(S)

Visitors to the Chamber were fourth-grade students and their teachers from Shoemaker Elementary, Grand Island; and Clara Towey and Trevor Towey, Omaha.

The Doctor of the Day was Dr. George Voigtlander of Lincoln.

ADJOURNMENT

At 11:19 a.m., on a motion by Senator Vargas, the Legislature adjourned until 10:00 a.m., Tuesday, March 8, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
THIRTY-SEVENTH DAY - MARCH 8, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

THIRTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 8, 2022

PRAYER

The prayer was offered by Pastor Raymond Wicks, First Baptist Church, Plattsmouth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Brewer.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Senator Hughes presiding.

The roll was called and all members were present except Senator Aguilar who was excused; and Senators Bostar, DeBoer, Hunt, Lathrop, Lindstrom, Linehan, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-sixth day was approved.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 1246. Placed on Select File with amendment. ER126 is available in the Bill Room.

LEGISLATIVE BILL 707. Placed on Select File with amendment. ER127

1 1. On page 1, strike lines 2 through 17 and insert "8-148.06, 2 8-1502, 30-3850, 45-736, 58-210.02, 58-219, 58-220, 58-221, 58-222, 3 58-239, 58-251, 59-1722, 76-2201, 76-2203, 76-2207.23, and 76-2218, 4 Reissue Revised Statutes of Nebraska, sections 1-162.01, 8-108, 8-124, 5 8-148.07, 8-148.08, 30-3881, 62-301, 76-2233.01, 76-2236, and 77-2387, 6 Revised Statutes Cumulative Supplement, 2020, sections 8-101.03, 8-135,
7 8-141, 8-143.01, 8-157.01, 8-183.04, 8-1,140, 8-318, 8-355, 8-1101,
8 8-1101.01, 8-1704, 8-1707, 8-2724, 8-2903, 8-3005, 8-3007, 8-3024,
9 21-17,115, 69-2103, 69-2104, 69-2112, 76-2207.30, 76-2221, 76-2230,
10 76-2231.01, and 76-2232, Revised Statutes Supplement, 2021, and section
11 4A-108, Uniform Commercial Code, Revised Statutes Supplement, 2021; to
12 adopt the LIBOR Transition Act; to change provisions relating to firm
13 ownership under the Public Accountancy Act; to define and redefine terms;
14 to change provisions relating to banks, financial institutions, bank
15 subsidiaries, and residential mortgage loans; to adopt updates to federal
16 law relating to banks, financial institutions, securities, money
17 transmitters, commodities, financial exploitation of vulnerable adults,
18 digital asset depository institutions, credit unions, transactions
19 involving franchises, consumer rental purchase agreements, and funds
20 transfers; to provide for a limitation under the Nebraska Financial
21 Innovation Act on digital asset and cryptocurrency custody services; to
22 change provisions relating to creditors' claims against settlers and
23 powers of trustees under the Nebraska Uniform Trust Code; to change
24 definitions under the Nebraska Investment Finance Authority Act and
25 change provisions relating to the powers of the authority; to recognize
26 Juneteenth National Independence Day as a bank holiday; to change
27 provisions relating to continuing education, experience, educational
1 requirements, and credentials for real property appraisers and public
2 funds; to harmonize provisions; to provide operative dates; to provide
3 severability; to repeal the original sections; and to declare an
4 emergency.".

LEGISLATIVE BILL 863. Placed on Select File with amendment.
ER129
1 1. In the Standing Committee amendments, AM1913:
2 a. On page 20, line 10, after "or" insert "an"; and
3 b. On page 34, line 12, strike "exempted" and insert "exempt".
4 2. On page 1, strike beginning with "the" in line 1 through line 7
5 and insert "insurance; to amend sections 44-361, 44-7,102, 44-2121,
6-44-2132, 44-2138, 44-4052, 44-5103, 44-5105, 44-5120, 44-5120.01,
7 44-5132, 44-5137, 44-5139, 44-5141, 44-5143, 44-5144, 44-5149, 44-5153,
8 and 44-9004, Reissue Revised Statutes of Nebraska; to adopt the Travel
9 Insurance Act and the Primary Care Investment Act; to prohibit certain
10 insurance practices relating to a person's status as a living organ
11 donor; to change provisions regarding premium rebates; to provide
12 requirements regarding value-added products and services; to provide,
13 change, and eliminate definitions; to change the requirement for
14 screening coverage for colorectal cancer; to require the filing of annual
15 group capital calculations and liquidity stress tests as prescribed and
16 provide for confidentiality and recognize trade secrets under the
17 Insurance Holding Company System Act as prescribed; to provide powers and
18 duties; to change provisions relating to the Insurers Investment Act; to
19 eliminate travel insurance provisions; to harmonize provisions; to
20 provide operative dates; to repeal the original sections; and to outright
21 repeal section 44-4068, Reissue Revised Statutes of Nebraska.".

LEGISLATIVE BILL 752. Placed on Select File with amendment.
ER131 is available in the Bill Room.

LEGISLATIVE BILL 805. Placed on Select File with amendment.
ER130
1 1. On page 1, strike beginning with "the" in line 1 through line 4
2 and insert "agriculture; to amend sections 2-2303, 2-2309, 2-2311,
3 2-2312, 2-2315, 2-2318, 2-3805, 2-3804, 23-3805, 23-3806, and 23-3808,
THIRTY-SEVENTH DAY - MARCH 8, 2022

4 Reissue Revised Statutes of Nebraska, and section 2-958.02, Revised
5 Statutes Cumulative Supplement, 2020; to change provisions relating to
6 the Noxious Weed Control Act, the Nebraska Wheat Resources Act, and the
7 Black-Tailed Prairie Dog Management Act; to harmonize provisions; to
8 provide severability; and to repeal the original sections.”.

LEGISLATIVE BILL 896. Placed on Select File with amendment.
ER128
1 On page 1, strike lines 2 through 6 and insert "to amend section
2 83-182.01, Revised Statutes Cumulative Supplement, 2020; to change
3 provisions relating to structured programming and program evaluations; to
4 define terms; and to repeal the original section.”.

LEGISLATIVE BILL 1273. Placed on Select File with amendment.
ER132 is available in the Bill Room.

LEGISLATIVE BILL 1273A. Placed on Select File.

LEGISLATIVE BILL 917. Placed on Select File.

LEGISLATIVE BILL 917A. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

Enrollment and Review

LEGISLATIVE BILL 450. Placed on Final Reading.
ST45
1 The following changes, required to be reported for publication in the Journal, have been made:
1. On page 1, line 2, "and the Small Business Assistance Act" has been inserted after "Act".

LEGISLATIVE BILL 1099. Placed on Final Reading.
ST44
1 The following changes, required to be reported for publication in the Journal, have been made:
1. On page 1, lines 3 and 4, "to state intent regarding appropriations," has been struck.

(Signed) Terrell McKinney, Chairperson

Health and Human Services

LEGISLATIVE BILL 1007. Placed on General File with amendment.
AM2099
11. Strike the original sections and insert the following new
1 Section 1. Section 71-5668, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 71-5668 Each loan repayment recipient shall execute an agreement
6 with the department and a local entity. Such agreement shall be exempt
7 from the requirements of sections 73-501 to 73-510 and shall include, at
8 a minimum, the following terms:
9 (1) The loan repayment recipient agrees to practice his or her
10 profession, and a physician, dentist, nurse practitioner, or physician
11 assistant also agrees to practice an approved specialty, in a designated
12 health profession shortage area for at least three years and to accept
13 medicaid patients in his or her practice;
14 (2) In consideration of the agreement by the recipient, the State of
15 Nebraska and a local entity within the designated health profession
16 shortage area will provide equal funding for the repayment of the
17 recipient's qualified educational debts except as provided in subdivision
18 (5) of this section, in amounts up to thirty thousand dollars per year
19 per recipient for physicians, dentists, and psychologists and up to
20 fifteen thousand dollars per year per recipient for physician assistants,
21 nurse practitioners, pharmacists, physical therapists, occupational
22 therapists, and mental health practitioners toward qualified educational
23 debts for up to three years. The department shall make payments directly
24 to the recipient;
25 (3) If the loan repayment recipient discontinues practice in the
26 shortage area prior to completion of the three-year requirement, the
27 recipient shall repay to the state one hundred fifty percent of the total
28 amount of funds provided to the recipient for loan repayment with
29 interest at a rate of eight percent simple interest per year from the
30 date of default. Upon repayment by the recipient to the department, the
31 department shall reimburse the local entity its share of the funds which
32 shall not be more than the local entity's share paid to the loan
33 repayment recipient.
34 (4) Any practice or payment obligation incurred by the loan
35 repayment recipient under the loan repayment program is canceled in the
36 event of the loan repayment recipient's total and permanent disability or
37 death.
38 (5) Beginning on July 1, 2022, any agreements entered into by
39 December 31, 2024, shall first use federal funds from the federal
40 American Rescue Plan Act of 2021 for the purposes of repaying qualified
41 educational debts prior to using any state or local funds. Agreements
42 using federal funds from the federal American Rescue Plan Act of 2021
43 shall not require equal funding from a local entity. Any federal funds
44 from the act committed to agreements during this time period shall be
45 used by December 31, 2026.
46 Sec. 2. Original section 71-5668, Reissue Revised Statutes of
47 Nebraska, is repealed.

The Health and Human Services Committee desires to report favorably
upon the appointment(s) listed below. The Committee suggests the
appointment(s) be confirmed by the Legislature and suggests a record vote.

Jeffrey D. Harrison - Nebraska Rural Health Advisory Commission
Cherlyn Hunt - Nebraska Rural Health Advisory Commission
Rebecca A. Schroeder - Nebraska Rural Health Advisory Commission
Roger D. Wells - Nebraska Rural Health Advisory Commission

Nay: 0. Absent: 0. Present and not voting: 0.

The Health and Human Services Committee desires to report favorably
upon the appointment(s) listed below. The Committee suggests the
appointment(s) be confirmed by the Legislature and suggests a record vote.

Claire C. Bazata - Nebraska Child Abuse Prevention Fund Board

Nay: 0. Absent: 0. Present and not voting: 0.
The Health and Human Services Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Alysson Muotri - Stem Cell Research Advisory Committee

Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) John Arch, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 318. Introduced by Blood, 3; Albrecht, 17; Arch, 14; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Day, 49; DeBoer, 10; Dorn, 30; Erdman, 47; Flood, 19; Friesen, 34; Geist, 25; Gragert, 40; Halloran, 33; Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hilkemann, 4; Hughes, 44; Hunt, 8; Jacobson, 42; Koltermann, 24; Lathrop, 12; Lindstrom, 18; Lowe, 37; McCollister, 20; McDonnell, 5; McKinney, 11; Morfeld, 46; Moser, 22; Murman, 38; Pahls, 31; Pansing Brooks, 28; Sanders, 45; Stinner, 48; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, the month of March is Women's History Month and celebrates the significant contributions women of all races, ethnicities, and backgrounds have made to the world; and
WHEREAS, women play a critical role in the vitality and diversity of our communities and are essential to ensuring Nebraska is well represented; and
WHEREAS, while the twentieth century was a pivotal time of growth for women entering politics, women remain underrepresented in the male-dominated field, and thus, providing opportunities to support women in public office is imperative; and
WHEREAS, recognizing women in public office will bring awareness to the fundamental necessity of their work and will inspire young people to serve their communities.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature recognizes March 19, 2022, as Celebrating Women in Public Office Day and calls upon the people of Nebraska to unite in support of the success of women in public office and to observe March 19 with appropriate activities, events, and programs.

Laid over.

BILLS ON FIRST READING

The following bills were read for the first time by title:
LEGISLATIVE BILL 805A. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 805, One Hundred Seventh Legislature, Second Session, 2022.

LEGISLATIVE BILL 809A. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 809, One Hundred Seventh Legislature, Second Session, 2022.

LEGISLATIVE BILL 1102A. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1102, One Hundred Seventh Legislature, Second Session, 2022.

MOTION(S) - Confirmation Report(s)

Senator Arch moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 662:
  Commission for the Blind and Visually Impaired
  Cheryl Livingston
  Linda Mentink

Voting in the affirmative, 35:

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Voting in the negative, 0.

Present and not voting, 6:

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<td>Briese</td>
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<td>Cavanaugh, J.</td>
<td>McCollister</td>
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Excused and not voting, 8:

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<td>Wishart</td>
</tr>
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</table>
The appointments were confirmed with 35 ayes, 0 nays, 6 present and not voting, and 8 excused and not voting.

Senator Arch moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 662:
   Foster Care Advisory Committee
       Richard L. Wiener

Voting in the affirmative, 38:

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<tr>
<th></th>
<th>Albrecht</th>
<th>Arch</th>
<th>Blood</th>
<th>Bostelman</th>
<th>Brandt</th>
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<td></td>
<td>Cavanaugh, M.</td>
<td>Clements</td>
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Voting in the negative, 0.

Present and not voting, 4:

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<tr>
<th></th>
<th>Linehan</th>
<th>Lowe</th>
<th>Sanders</th>
<th>Vargas</th>
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Excused and not voting, 7:

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</table>

The appointment was confirmed with 38 ayes, 0 nays, 4 present and not voting, and 7 excused and not voting.

Senator Arch moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 662:
   Commission for the Deaf and Hard of Hearing
       Peggy A. Williams

Voting in the affirmative, 39:
Voting in the negative, 0.

Present and not voting, 3:

| Briese | Friesen | Morfeld |

Excused and not voting, 7:

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<th>Aguilar</th>
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<tr>
<td>Bostar</td>
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The appointment was confirmed with 39 ayes, 0 nays, 3 present and not voting, and 7 excused and not voting.

Senator Brewer moved the adoption of the Government, Military and Veterans Affairs Committee report for the confirmation of the following appointment(s) found on page 697:

- Nebraska Accountability and Disclosure Commission
  - Ann Ashford

Voting in the affirmative, 40:

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<th>Albrecht</th>
<th>Cavanaugh, M.</th>
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<th>Kolterman</th>
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<td>Cavanaugh, J.</td>
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<td>Kolterman</td>
<td>Murman</td>
<td>Williams</td>
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Voting in the negative, 0.

Present and not voting, 3:

| Hunt | Lathrop | Morfeld |

Excused and not voting, 6:
The appointment was confirmed with 40 ayes, 0 nays, 3 present and not voting, and 6 excused and not voting.

**BILLS ON FINAL READING**

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 567.**

A BILL FOR AN ACT relating to the Employment Security Law; to amend sections 48-625 and 48-626, Reissue Revised Statutes of Nebraska; to change provisions relating to payment of weekly benefits and maximum annual benefit amounts; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 42:

- Albrecht
- Clements
- Hansen, B.
- Lowe
- Sanders
- Arch
- Day
- Hansen, M.
- McCollister
- Slama
- Blood
- Dorn
- Hilgers
- McDonnell
- Stinner
- Bostelman
- Erdman
- Hilkemann
- McKinney
- Vargas
- Brandt
- Flood
- Hughes
- Morfeld
- Walz
- Brewer
- Friesen
- Jacobson
- Moser
- Williams
- Briese
- Geist
- Kolterman
- Murman
- Cavanaugh, J.
- Gragert
- Lathrop
- Pahl
- Cavanaugh, M.
- Halloran
- Linehan
- Pansing
- Brooks

Voting in the negative, 0.

Present and not voting, 1:

- Hunt

Excused and not voting, 6:

- Aguilar
- DeBoer
- Wayne
- Bostar
- Lindstrom
- Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.
LEGISLATIVE BILL 704.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 38-1414 and 38-1416, Reissue Revised Statutes of Nebraska; to change education requirements for funeral directing and embalming and apprentice licensure; to eliminate reporting requirements relating to caskets; to repeal the original sections; and to outright repeal section 71-609, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

<table>
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<tr>
<th>Albrecht</th>
<th>Clements</th>
<th>Hansen, B.</th>
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Voting in the negative, 0.

Excused and not voting, 6:

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<td>Bostar</td>
<td>Lindstrom</td>
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 749. With Emergency Clause.

A BILL FOR AN ACT relating to the Motor Vehicle Certificate of Title Act; to amend section 60-146, Reissue Revised Statutes of Nebraska; to change an identification inspection provision; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 43:
Albrecht  Clements  Hansen, B.  Linehan  Pansing Brooks
Arch  Day  Hansen, M.  Linehan  Pansing Brooks
Blood  Dorn  Hilgers  Mccollister  Slama
Bostelman  Erdman  Hilkemann  McDonnell  Stinner
Brandt  Flood  Hughes  McKinney  Vargas
Brewer  Friesen  Hunt  Morfeld  Walz
Briese  Geist  Jacobson  Moser  Williams
Cavanaugh, J.  Gragert  Koltermann  Murman
Cavanaugh, M.  Halloran  Lathrop  Pahls

Voting in the negative, 0.

Excused and not voting, 6:
Aguilar  DeBoer  Wayne
Bostar  Lindstrom  Wishart

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**LEGISLATIVE BILL 786.**

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1496, Reissue Revised Statutes of Nebraska; to change information required for a statement of financial interests; to provide an operative date; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?""

Voting in the affirmative, 43:

Albrecht  Clements  Hansen, B.  Linehan  Pansing Brooks
Arch  Day  Hansen, M.  Lone  Sanders
Blood  Dorn  Hilgers  Mccollister  Slama
Bostelman  Erdman  Hilkemann  McDonnell  Stinner
Brandt  Flood  Hughes  McKinney  Vargas
Brewer  Friesen  Hunt  Morfeld  Walz
Briese  Geist  Jacobson  Moser  Williams
Cavanaugh, J.  Gragert  Koltermann  Murman
Cavanaugh, M.  Halloran  Lathrop  Pahls

Voting in the negative, 0.

Excused and not voting, 6:
A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 791.**

A BILL FOR AN ACT relating to county government and officers; to amend sections 23-1901, 23-1901.02, 33-116, and 39-1506, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to county surveyors, engineers, and highway superintendents; to change a county population requirement; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 43:

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<th>Albrecht</th>
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<td>Cavanaugh, J.</td>
<td>Gragert</td>
<td>Kolterman</td>
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<tr>
<td>Cavanaugh, M.</td>
<td>Halloran</td>
<td>Lathrop</td>
<td>Pansing Brooks</td>
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</table>

Voting in the negative, 0.

Present and not voting, 1:

McKinney

Excused and not voting, 5:

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 847.**

A BILL FOR AN ACT relating to the Political Subdivisions Construction Alternatives Act; to amend section 13-2903, Revised Statutes Supplement, 2021; to redefine political subdivision to include certain utilities and public
power districts; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?"

Voting in the affirmative, 44:

Albrecht  Clements  Hansen, B.  Linehan  Pansing Brooks
Arch      Day      Hansen, M.  Lowe      Sanders
Blood     Dorn     Hilgers      McCollister  Slama
Bostelman Erdman  Hilkemann  McDonnell  Stinner
Brandt    Flood    Hughes      McKinney  Vargas
Brewer    Friesen  Hunt       Morfeld    Walz
Briese    Geist    Jacobson   Moser      Wayne
Cavanaugh, J. Gragert  Kolterman  Murman    Williams
Cavanaugh, M. Halloran  Lathrop   Pahls

Voting in the negative, 0.

Excused and not voting, 5:

Aguilar  Bostar  DeBoer  Lindstrom  Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

GENERAL FILE

LEGISLATIVE BILL 697. Title read. Considered.

SPEAKER HILGERS PRESIDING

Committee AM1613, found on page 483, was adopted with 42 ayes, 0 nays, 2 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 5 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 824. Title read. Considered.

Committee AM1604, found on page 483, was adopted with 36 ayes, 0 nays, 7 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 6 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 795. Title read. Considered.
Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 6 present and not voting, and 6 excused and not voting.

RESOLUTION(S)
Pursuant to Rule 4, Sec. 5(b), LRs 304, 306, 308, 309, and 310 were adopted.

SPEAKER SIGNED
While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 304, 306, 308, 309, and 310.
While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 567, 704, 749e, 786, 791, and 847.

GENERAL FILE
LEGISLATIVE BILL 1147. Title read. Considered.
Senator Friesen offered his amendment, AM1997, found on page 613.

SENATOR WAYNE PRESIDING
The Friesen amendment was adopted with 36 ayes, 0 nays, 7 present and not voting, and 6 excused and not voting.
Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 5 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 807. Title read. Considered.
Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 3 present and not voting, and 6 excused and not voting.

COMMITTEE REPORT(S)
Judiciary

LEGISLATIVE BILL 829. Placed on General File.
LEGISLATIVE BILL 830. Placed on General File.
LEGISLATIVE BILL 907. Placed on General File.

LEGISLATIVE BILL 851. Placed on General File with amendment.
AM2102
1 1. On page 2, line 12, strike the new matter.

LEGISLATIVE BILL 1124. Placed on General File with amendment.
AM2138
1 1. On page 2, line 13, strike "two" and insert "one".
Transportation and Telecommunications

LEGISLATIVE BILL 1144. Placed on General File with amendment. AM2107 is available in the Bill Room.

(Signed) Curt Friesen, Chairperson

Education

LEGISLATIVE BILL 1057. Placed on General File with amendment. AM2164

1 1. Strike the original sections and insert the following new sections:
   3 Section 1. Section 79-499, Revised Statutes Cumulative Supplement, is amended to read:
   5 79-499 (1) If the fall school district membership or the average daily membership of an existing Class III school district shows fewer than forty-five thirty-five students in grades kindergarten nine through twelve, the district shall submit a plan for developing cooperative programs with other school districts high schools, including the sharing of curriculum and certificated and noncertificated staff, to the State Committee for the Reorganization of School Districts. The cooperative program plan shall be submitted by the school district by September 1 of the year following such fall school district membership or average daily membership report. A cooperative program plan shall not be required if there is no high school within fifteen miles from such district on a reasonably improved highway. The state committee shall review the plan and advise and communicate to such school district and other school districts.
   18 (3)(b) If for two consecutive years the fall school district membership, or for two consecutive years the average daily membership, of an existing Class III school district is fewer than forty-five students twenty-five pupils in grades kindergarten nine through twelve as determined by the Commissioner of Education or if for one year an existing Class III school district contracts with a neighboring school district or districts to provide educational services for all of its pupils in grades nine through twelve, such school district shall, except as provided in subsection (3) or (4) of this section, be dissolved pursuant to the procedures described in subdivision (3)(b) (4)(b) of this section through the order of the state committee if the high school district is within fifteen miles on a reasonably improved highway of another high school.
   5 This subsection does not apply to any school district located on an Indian reservation and substantially or totally financed by the federal government.
   8 (3) Any Class III school district which has a fall school district membership or an average daily membership of fewer than twenty-five students in grades nine through twelve may contract with another school district to provide educational services for its pupils in grades nine through twelve. Such contract may continue for a period not to exceed one year. At the end of such one-year period, the school district may resume educational services for grades nine through twelve if the average daily membership in grades nine through twelve for such school district has reached at least fifty students. If the school district has not achieved
17 such fall school district membership or average daily membership, it
18 shall be dissolved pursuant to the procedures described in subdivision
19 (4)(b) of this section by order of the state committee entered after
20 thirty days' notice to the district but without a hearing.
21 (5) In determining the distance on a reasonably improved highway to the
22 nearest school district conducting a high school,
23 (i) Any Class III school district which is maintaining the
24 only public high school district in the county and which has a fall
25 school district membership or an average daily membership of fewer than
26 forty-five thousand students in grades kindergarten nine through
27 twelve shall be subject to this subsection until such school district
28 reaches a fall school district membership or an average daily membership
29 in grades kindergarten nine through twelve of at least forty-five.
30 (ii) At a districtwide election held the second Tuesday of November
31 by whatever means the county conducts balloting, in the second
32 consecutive school year that the fall school district membership for
33 grades kindergarten nine through twelve is fewer than forty-five.
34 five students, a majority of voters approve a ballot issue to continue to
35 operate the high school district for the immediately following four
36 school years. If such ballot issue succeeds and in the initial
37 election, the school board shall annually determine if such a
38 districtwide election is necessary for each subsequent year that the
39 school district remains subject to this subsection, except that such
40 school board or board of education shall conduct a public hearing and,
41 after receiving testimony at the public hearing, vote whether to continue
42 to operate the school district every four years thereafter. If such
43 ballot issue or such vote of the school board or board of education
44 fails, the school district shall be dissolved pursuant to the procedures
45 described in subdivision (3)(b) of this section held such districtwide
46 election if four years have passed since the last election pursuant to
47 this section and the school district has remained subject to this
48 subsection.
49 (b) The if each ballot issue as provided in subdivision (3)(a)(i)
50 of this section fails, or if a school district fails within the
51 provisions of subsection (2) or (3) of this section, the state committee
52 shall dissolve the school district and attach the territory to other
53 school districts based on the preferences of each landowner if such
54 preference is provided in the time and manner required by the state
55 committee and would transfer such parcels to a school district with a
56 boundary contiguous to the school district being dissolved. Landowners
57 submitting such preferences shall sign a statement that the district of
58 preference is the district which children who might reside on the
59 property, at the time of the dissolution or in the future, would be
60 expected to attend. For property for which a preference is not provided
61 in the time and manner required by the state committee, the state
62 committee shall transfer such property to one or more of the school
63 districts with boundaries contiguous to the district being dissolved in a
64 manner that will best serve children who might reside on such property,
65 at the time of the dissolution or in the future, and that will, to the
66 extent possible, create compact and contiguous districts.
67 (c) This subsection shall not apply to any school district if the
68 fall school district membership or an average daily membership falls to
69 fewer than fifteen students in grades nine through twelve for two
70 consecutive years.
15 (a4) For purposes of this section, when calculating fall school
16 district membership or average daily membership, a resident school
17 district as defined in section 79-233 shall not count students attending
18 an option district as defined in such section and a Class III school
19 district shall not count foreign exchange students and nonresident
20 students who are wards of the court or state.
21 Sec. 2. Section 79-848, Reissue Revised Statutes of Nebraska, is
22 amended to read:
23 79-848 Any employee whose contract is terminated because of
24 reduction in force shall be considered dismissed with honor and shall
25 upon request be provided a letter to that effect. Such employee shall
26 have preferred rights to reemployment for a period of twenty-four months
27 commencing at the end of the contract year of such employee, and the
28 employee shall be recalled on the basis of length of service to the
29 school to any position for which he or she is qualified by endorsement or
30 college preparation to teach. Whenever a school district has, pursuant to
31 section 79-598, contracted for the instruction of all of the students
1 residing in such district or has, pursuant to section 79-499, contracted
2 for the instruction of its students in grades nine through twelve, the
3 preferred rights to reemployment shall commence at the end of the student
4 contract period as agreed to by the contracting school district. The
5 employee shall, upon reappointment, retain any benefits which had accrued
6 to such employee prior to termination, but such leave of absence shall
7 not be considered as a year of employment by the district. An employee
8 under contract to another educational institution may waive recall, but
9 such waiver shall not deprive the employee of his or her right to
10 subsequent recall.
11 Sec. 3. Original section 79-848, Reissue Revised Statutes of
12 Nebraska, and section 79-499, Revised Statutes Cumulative Supplement,
13 2020, are repealed.

(Signed) Lynne Walz, Chairperson
Business and Labor

LEGISLATIVE BILL 815. Placed on General File.

(Signed) Ben Hansen, Chairperson
Revenue

LEGISLATIVE BILL 1250. Placed on General File with amendment.
AM2186
1 1. On page 2, lines 26 and 27, strike the new matter and reinstate
2 the stricken matter.

(Signed) Lou Ann Linehan, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 319.Introduced by Cavanaugh, M., 6;
Albrecht, 17; Arch, 14; Blood, 3; Bostar, 29; Bostelman, 23; Brandt, 32;
Brewer, 43; Briese, 41; Cavanaugh, J., 9; Clements, 2; Day, 49; DeBoer, 10;
Dorn, 30; Erdman, 47; Flood, 19; Friesen, 34; Cragert, 40; Halloran, 33;
Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hilkemann, 4; Hughes, 44;
WHEREAS, multiple sclerosis (MS) is an unpredictable, often disabling disease of the central nervous system that interrupts the flow of information between the brain and the body; and
WHEREAS, although there has been significant progress in MS research, including more than twenty disease modifying treatments to slow the progression of the disease, there is still no known cause or cure; and
WHEREAS, an estimated one million people in the United States are living with MS, including more than three thousand two hundred people in Nebraska; and
WHEREAS, the National Multiple Sclerosis Society exists to help each person address the challenges of living with MS by funding cutting-edge research, facilitating professional education, and providing programs and services that help people with MS and their families move their lives forward; and
WHEREAS, MS Awareness Month is recognized annually in March to unite people in Nebraska, the United States, and worldwide in the fight to end MS, to create connections stronger than the ones MS destroys, and to educate people about MS and what they can do to make a difference.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature recognizes March 2022 as Multiple Sclerosis Awareness Month in Nebraska.
2. That a copy of this resolution be sent to the Mid America Chapter of the National Multiple Sclerosis Society.

Laid over.

AMENDMENT(S) - Print in Journal

Senator M. Cavanaugh filed the following amendment to LB376A:

1 AM2172
1 1. Strike the original section and insert the following new
2 sections:
3 Section 1. There is hereby appropriated $500,000 Federal Funds for
4 FY2022-23 to the Department of Health and Human Services, for Program 33;
5 to aid in carrying out the provisions of Legislative Bill 376, One
6 Hundred Seventh Legislature, Second Session, 2022. The Federal Funds
7 appropriated in this section are from the funds allocated to the State of
8 Nebraska pursuant to the federal American Rescue Plan Act of 2021, Public
9 Law 117-2,Subtitle J-Medicaid, Sec. 9817.
10 Sec. 2. There is hereby appropriated $1,508,507 from the General
11 Fund and $6,055,913 Federal Funds for FY2023-24 to the Department of
12 Health and Human Services, for Program 424, to aid in carrying out the
13 provisions of Legislative Bill 376, One Hundred Seventh Legislature,
14 Second Session, 2022. The Federal Funds appropriated in this section are
15 from the funds allocated to the State of Nebraska pursuant to the federal
There is included in the appropriation to this program for FY2023-24 $1,508,507 General Funds and $6,055,913 Federal Funds for state aid, which shall only be used for such purpose.

There is hereby appropriated $510,131 from the General Fund and $1,660,224 from federal funds for FY2023-24 to the Department of Health and Human Services, for Program 33, to aid in carrying out the provisions of Legislative Bill 376, One Hundred Seventh Legislature, Second Session, 2022.

There is hereby appropriated $8,288,373 from federal funds for FY2023-24 to the Department of Health and Human Services, for Program 138, to aid in carrying out the provisions of Legislative Bill 376, One Hundred Seventh Legislature, Second Session, 2022.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $2,044,738 for FY2023-24.

NOTICE OF COMMITTEE HEARING(S)
Natural Resources
Room 1525 12:00 PM

Wednesday, March 16, 2022
LR102

(Signed) Bruce Bostelman, Chairperson

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1241A. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1241, One Hundred Seventh Legislature, Second Session, 2022; and to declare an emergency.

PRESENTED TO THE GOVERNOR

Presented to the Governor on March 8, 2022, at 11:43 a.m. were the following: LBs 567, 704, 749e, 786, 791, and 847.

(Signed) Jamie Leishman
Clerk of the Legislature's Office

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Jacobson name added to LB781.
Senator Briese name added to LB933.
Senator Dorn name added to LB933.
Senator Jacobson name added to LB933.
Senator Brewer name added to LB933.
Senator Blood name added to LB964.
Senator Briese name added to LB1086.
Senator Jacobson name added to LB1086.
Senator Pansing Brooks name added to LR283CA.
Senator Morfeld name added to LR283CA.
Senator Jacobson name added to LR283CA.
Senator M. Hansen name added to LR283CA.
Senator Arch name added to LR317.
Senator Kolterman name added to LR317.

RECESS

At 12:01 p.m., on a motion by Senator M. Hansen, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Williams presiding.

ROLL CALL

The roll was called and all members were present except Senator Aguilar who was excused; and Senators Blood, Bostar, Briese, J. Cavanaugh, Day, DeBoer, Flood, Hunt, Lathrop, Lindstrom, Slama, Stinner, Vargas, and Walz who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 698A. Title read. Considered.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 1 present and not voting, and 14 excused and not voting.

LEGISLATIVE BILL 804A. Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 2 present and not voting, and 11 excused and not voting.

LEGISLATIVE BILL 1037A. Title read. Considered.

Senator Arch offered the following amendment:

AM2193

1 1. On page 2, line 2, strike "$400,000" and insert "$0."

The Arch amendment was adopted with 40 ayes, 0 nays, and 9 excused and not voting.
Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 4 present and not voting, and 9 excused and not voting.

WITHDRAW - Amendment to LB450A

Senator McKinney withdrew his amendment, AM2148, found on page 718, to LB450A.

MOTION(S) - Return LB450A to Select File

Senator McKinney moved to return LB450A to Select File for the following specific amendment:

AM2196
1. Strike the original section and insert the following new section:
2. Section 1. There is hereby appropriated (1) $11,000 from the Innovation Hub Cash Fund and $5,000,000 from the General Fund for FY2022-23 and (2) $11,000 from the Innovation Hub Cash Fund and $5,000,000 from the General Fund for FY2023-24 to the Department of Economic Development, for Program 603, to aid in carrying out the provisions of Legislative Bill 450, One Hundred Seventh Legislature, Second Session, 2022.
3. There is included in the appropriation to this program for FY2022-23 $4,230,810 General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2023-24 $4,214,050 General Funds for state aid, which shall only be used for such purpose.
4. Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $134,140 for FY2022-23 or $159,550 for FY2023-24.

The McKinney motion to return prevailed with 37 ayes, 0 nays, 5 present and not voting, and 7 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 450A. The McKinney specific amendment, AM2196, found in this day's Journal, was adopted with 40 ayes, 0 nays, 2 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 1112. Title read. Considered.

Committee AM1942, found on page 612, was offered.

Senator McKinney offered his amendment, AM2101, found on page 701, to the committee amendment.

The McKinney amendment was adopted with 35 ayes, 0 nays, 10 present
and not voting, and 4 excused and not voting.

The committee amendment, as amended, was adopted with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 804. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 887. ER121, found on page 707, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 698. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 820. Senator M. Hansen offered his amendment, AM2147, found on page 717.

The M. Hansen amendment was adopted with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 840. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 436. ER120, found on page 707, was adopted.

Senator B. Hansen offered the following amendment:

AM2157

(Amendments to E&R amendments, ER120)
1 1. On page 2, strike lines 23 through 25 and insert the following
2 new subdivision:
3 "(e) Therapeutic modalities. For purposes of this subdivision, and
4 except as provided in subsection (9) of this section, therapeutic
5 modalities includes, but is not limited to:
6 (i) Physical modalities; and
7 (ii) Mechanical modalities, including, but not limited to, dry
8 needling; and"
9 2. On page 4, line 22, before the stricken "(2)" insert "(9)"; and
10 reinstate the stricken matter beginning with "The" in line 22 through
11 line 23.

The B. Hansen amendment was adopted with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.
Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE RESOLUTION 283CA.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 998.** ER124, found on page 732, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 769.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 864.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1065.** ER125, found on page 736, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1246.** ER126, found on page 739, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 848.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1173.** ER117, found on page 694, was adopted.

Senator Hunt offered the following amendment:

**AM2200**

(Amendments to E&R amendments, ER117)

1. Insert the following new section:
2 Sec. 8. Section 43-907, Reissue Revised Statutes of Nebraska, is amended to read:

43-907 (1) Unless a guardian shall have been appointed by a court of competent jurisdiction, the Department of Health and Human Services shall take custody of and exercise general control over assets owned by children under the charge of the department. Children owning assets shall at all times pay for personal items. Assets over and above a maximum of one thousand dollars and current income shall be available for reimbursement to the state for the cost of care. Assets may be deposited in a checking account, invested in United States bonds, or deposited in a savings account insured by the United States Government. All income received from the investment or deposit of assets shall be credited to the individual child whose assets were invested or deposited. The department shall make and maintain detailed records showing all receipts, investments, and expenditures of assets owned by children under the charge of the department.

2. When the Department of Health and Human Services serves as representative payee or in any fiduciary capacity for a child beneficiary of social security benefits, the department shall provide:

(a) Immediate notice to the child beneficiary, in an age-appropriate
manner, and the child's guardian ad litem, of (i) the department's
receipt of the child's first payment of social security benefits,
including the amount received, and (ii) where the payment was deposited;
(3) Notice and accounting to the juvenile court on a biannual basis
beginning January 1, 2023, regarding the department's receipt, use, and
conservation of the child's social security benefits in accordance with
this section including:
(i) The dates and amounts of social security benefits received on
behalf of the child since any prior notification;
(ii) An accounting of the child's assets and resources relating to
the receipt of social security benefits, including all earnings, assets,
and other resources, programs, or accounts maintained on behalf of the
child receiving such social security benefits; and
(iii) Records of any communication with the Social Security
Administration regarding the child beneficiary's receipt of social
security benefits since any prior notification; and
(4) All accounting records regarding the department's receipt, use,
and conservation of the child's social security benefits, including an
accounting of all existing earnings, assets, and other resources,
programs, or accounts maintained on behalf of the child receiving such
social security benefits, to the child beneficiary, the child's guardian
ad litem or attorney, or the child's parent upon:
(5) Request from the child beneficiary, the child's guardian ad
litem or attorney, or the child's parent; and
(6) Termination of the department's role as the child beneficiary's
representative payee.
(2) On or before October 1, 2023, the Department of Health and Human
Services shall adopt and promulgate rules and regulations to carry out
subsection (2) of this section consistent with federal requirements.
(3) Correct the operative date and repeal sections so that the
section added by this amendment becomes operative three calendar months
after the adjournment of this legislative session.
(4) Renumber the remaining sections accordingly.

The Hunt amendment was adopted with 29 ayes, 0 nays, 16 present and not
voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1236. ER118, found on page 700, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 780. ER123, found on page 732, was adopted.

Senator Wayne offered the following amendment:
AM2156
1. Insert the following new sections:
2 Section 1. Section 14-1810, Reissue Revised Statutes of Nebraska, is
amended to read:
4 14-1810 An authority created pursuant to the Transit Authority Law
5 being a governmental subdivision of the State of Nebraska to exercise
6 public and essential governmental functions, all property thereof, all
7 operations thereof, and all rights to operate, of whatsoever character,
8 and all bonds and equipment trust notes or certificates issued by it,
9 shall be exempt from any and all forms of assessment and taxation, and
The Wayne amendment was adopted with 36 ayes, 0 nays, 8 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 925.** ER108, found on page 651, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 925A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 717.** Senator McDonnell offered the following amendment:

AM2061

1. Insert the following new section:
2 Section 1. Section 81-8,316, Revised Statutes Supplement, 2021, is amended to read:
4 81-8,316 For purposes of the In the Line of Duty Compensation Act:
5 (1) Firefighter means a member of a paid or volunteer fire department in Nebraska, including a member of a rescue squad associated with a paid or volunteer fire department in Nebraska;
8 (2)(a) Killed in the line of duty means losing one's life as a result of an injury or illness arising on or after January 1, 2022, in connection with the active performance of duties as a public safety officer if the death occurs within three years from the date the injury was received or illness was diagnosed and if that injury or illness arose from violence or other accidental cause;
11 (b) Killed in the line of duty excludes death resulting from the willful misconduct or intoxication of the public safety officer;
14 (3) Law enforcement officer has the same meaning as in section 81-1401 means any member of the Nebraska State Patrol, any county or deputy sheriff, or any member of the police force of any city or village;
19 (4) Public safety officer means:
20 (a) A firefighter;
21 (b) A law enforcement officer;
22 (c) A member of an emergency medical services ambulance squad operated by a political subdivision or by a private, nonprofit ambulance service, but excluding any employee of a private, for-profit ambulance service.
25 service; or
26 (d) A correctional officer employed by a jail or by the Department
27 of Correctional Services;
1 (5) Risk Manager means the Risk Manager appointed under section
2 81-8,239.01; and
3 (6) State Claims Board means the board created under section
4 81-8,220.
5 2. On page 3, line 15, strike "section" and insert "sections
6 81-8,316 and", and in line 16 strike "is" and insert "are".
7 3. Renumber the remaining sections accordingly.

The McDonnell amendment was adopted with 30 ayes, 0 nays, 14 present
and not voting, and 5 excused and not voting.

Senator Friesen offered the following amendment:
AM2079
11. On page 2, line 10, strike "hundred fifty thousand", show the old
2 matter as stricken, and insert "million".

The Friesen amendment lost with 21 ayes, 2 nays, 21 present and not voting,
and 5 excused and not voting.

Pending.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 320. Introduced by Hunt, 8.

WHEREAS, for decades the profession of social work has been dedicated
to improving human well-being and fulfilling the needs of all people
especially the most vulnerable; and
WHEREAS, "The Time is Right for Social Work" is the theme of this
year's National Social Work Month and embodies how social workers rose
to meet the most pressing challenge of all of our lifetimes, the COVID-19
pandemic, even as our nation continues to grapple with systemic racism,
income inequality, global warming, and other crises; and
WHEREAS, social workers are the largest group of mental health care
providers in the United States, and work daily to help people, whether in
person or remotely, overcome substance use disorders and mental illnesses
such as depression or anxiety; and
WHEREAS, social workers aid people in overcoming issues such as death
and grief and support people and communities in recovering from increasing
natural disasters such as fires, hurricanes, and earthquakes brought on by
climate change; and
WHEREAS, social workers help the United States live up to its values by
successfully advocating for equal rights for all, including black people,
indigenous people, people of color, LGBTQ+ people, religious groups, and
others; and
WHEREAS, the profession of social work is one of the fastest growing
careers in the United States, with more than seven hundred fifteen thousand
social workers today and nearly eight hundred thousand professionals expected to be employed as social workers by 2030; and

WHEREAS, social workers continue to champion changes that make our society a better place to live, including advocating for a livable wage, improved workplace safety, and social safety net programs that help ameliorate poverty, hunger, and homelessness; and

WHEREAS, social workers possess the necessary expertise to assist the United States in some of its most pressing issues, such as public health and well-being, especially during the pandemic, equal rights, improved health care and mental health care for all, and immigration reform; and

WHEREAS, social workers serve in all facets of our society to meet the needs of people no matter their individual circumstances and empower them to live to their fullest potential.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature recognizes March 2022 as Social Work Month.
2. That the Legislature encourages all Nebraskans to join with the National Association of Social Workers and the Nebraska Chapter of the National Association of Social Workers in celebration and support of the profession of social work.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Bostelman filed the following amendment to LB1102A:
AM2212
1. On page 2, line 3, strike "334" and insert "513".

Senator Arch filed the following amendment to LB1037:
AM2149
(Amendments to E&R amendments, ER110)
1. On page 1, strike lines 13 through 19 and insert the following
2 new subsection:
3 "(3) The evaluation shall be collaborative and shall include
4 involvement by members of the Legislature and members of the executive
5 departments described in this subsection. The evaluation shall be
6 completed with input from:
7 (a) The chairpersons of the Executive Board of the Legislative
8 Council, the Government, Military and Veterans Affairs Committee of the
9 Legislature, and the Health and Human Services Committee of the
10 Legislature or the designees of such chairpersons;
11 (b) Other members of the Legislature as such chairpersons deem
12 appropriate;
13 (c) The Department of Administrative Services;
14 (d) The Department of Health and Human Services; and
15 (e) Any other using agencies, as defined in section 81-145, deemed
16 appropriate to participate by the Department of Administrative
17 Services."
Senator McDonnell filed the following amendment to LB964:

AM2146

1. Insert the following new section:

2. Sec. 2. Section 81-1373, Reissue Revised Statutes of Nebraska, is amended to read:

481-1373 (1) For the purpose of implementing the state employees' right to organize for the purpose of collective bargaining, there are hereby created twelve bargaining units for all state agencies except the University of Nebraska, the Nebraska state colleges, and other constitutional offices. The units shall consist of state employees whose job classifications are occupationally and functionally related and who share a community of interest. The bargaining units shall be:

(a) Maintenance, Trades, and Technical, which unit is composed of generally recognized blue collar and technical classes, including highway maintenance workers, carpenters, plumbers, electricians, print shop workers, auto mechanics, engineering aides and associates, and similar classes;

(b) Administrative Support, which unit is composed of clerical and administrative nonprofessional classes, including typists, secretaries, accounting clerks, computer operators, office service personnel, and similar classes;

(c) Health and Human Care Nonprofessional, which unit is composed of institutional care classes, including nursing aides, psychiatric aides, therapy aides, and similar classes;

(d) Social Services and Counseling, which unit is composed of generally professional-level workers providing services and benefits to eligible persons. Classes shall include job service personnel, income maintenance personnel, social workers, counselors, and similar classes;

(e) Administrative Professional, which unit is composed of professional employees with general business responsibilities, including accountants, buyers, personnel specialists, data processing personnel, and similar classes;

(f) Protective Service, which unit is composed of institutional security personnel, including correctional officers, building security guards, and similar classes;

(g) Law Enforcement, which unit is composed of employees holding powers of arrest, including Nebraska State Patrol officers and sergeants, conservation officers, fire marshal personnel, and similar classes.

(h) Sergeants, investigators, and patrol officers employed by the Nebraska State Patrol as authorized in section 81-2004 shall be presumed to have a community of interest with each other and shall be included in this bargaining unit notwithstanding any other provision of law which may allow for the contrary;

(i) Health and Human Care Professional, which unit is composed of community health, nutrition, and health service professional employees; licensed therapists, and similar classes;

(j) Examining, Inspection, and Licensing, which unit is composed of employees empowered to review certain public and business activities, including driver-licensing personnel, revenue agents, bank and insurance examiners who remain in the State Personnel System under sections 8-105 and 44-119, various public health and protection inspectors, and similar classes;

(k) Engineering, Science, and Resources, which unit is composed of specialized professional scientific occupations, including civil and other engineers, architects, chemists, geologists and surveyors, and similar classes;

(l) Teachers, which unit is composed of employees required to be licensed or certified as a teacher; and

(m) Supervisory, which unit is composed of employees who are
The amendment filed by Senator Flood as follows:

AM2205

1. Insert the following new section:
2. Sec. 29. Section 8-3009, Revised Statutes Supplement, 2021, is amended to read:
3. 8-3009 (1) At all times, a digital asset depository shall maintain
4. unencumbered liquid assets denominated in United States dollars valued at
5. not less than one hundred percent of the value of any outstanding
6. stablecoin issued by the digital asset depository digital assets in
7. custody.
8. (2) For purposes of this section, liquid assets means:
9. (a) United States currency held on the premises of the digital asset
10. depository that is not a digital asset depository institution;
11. (b) United States currency held for the digital asset depository by
12. a federal reserve bank or a Federal Deposit Insurance Corporation-insured
14 financial institution which has a main-chartered office in this state,
15 any branch thereof in this state, or any branch of the financial
16 institution which maintained a main-chartered office in this state prior
17 to becoming a branch of such financial institution; or
18 (c) Investments which are highly liquid and obligations of the
19 United States Treasury or other federal agency obligations, consistent
20 with rules and regulations or order adopted by the director.
21 2. Correct the operative date and repealer sections so that the
22 section added by this amendment becomes operative three calendar months
23 after the adjournment of this legislative session.
24 3. Renumber the remaining sections and correct internal references
25 accordingly.

Senator Albrecht filed the following amendment to LB933:
AM2207
1 1. On page 3, line 19, strike "act" and insert "Nebraska Human Life
2 Protection Act".

SELECT FILE

LEGISLATIVE BILL 717. Senator Clements offered the following
amendment:
FA73
On page 2, line 10, strike two hundred and fifty and insert one hundred.

The Clements amendment lost with 5 ayes, 25 nays, 16 present and not
voting, and 3 excused and not voting.

Senator Lowe requested a machine vote on the advancement of the bill.

Advanced to Enrollment and Review for Engrossment with 32 ayes, 4 nays,
10 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 1037. ER110, found on page 667, was adopted.

Senator Wayne withdrew his amendment, AM2047, found on page 646.

Senator Arch offered his amendment, AM2149, found in this day's Journal.

The Arch amendment was adopted with 43 ayes, 0 nays, 3 present and not
voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 964. Senator McDonnell offered his amendment,
AM2146, found in this day's Journal.

The McDonnell amendment was adopted with 37 ayes, 1 nay, 8 present and
not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.
MOTION(S) - Place LB773 on General File

Senator Brewer offered his motion, MO151, found on page 722, to place LB773 on General File pursuant to Rule 3, Section 20(b).

Senator Brewer moved for a call of the house. The motion prevailed with 36 ayes, 2 nays, and 11 not voting.

Senator Slama requested a roll call vote on the motion to place LB773 on General File.

Voting in the affirmative, 30:

Albrecht  Clements  Gragert  Jacobson  Moser
Arch     Dorn      Halforan  Kolterman  Murman
Bostelman Erdman  Hansen, B. Lindstrom Pahls
Brandt  Flood     Hilgers   Linehan  Sanders
Brewer   Friesen  Hilkemann  Lowe    Slama
Briese    Geist    Hughes   McDonnell  Williams

Voting in the negative, 12:

Bostar  Day     Lathrop  Vargas
Cavanaugh, J. Hansen, M. McKinney  Walz
Cavanaugh, M.  Hunt    Morfeld  Wishart

Excused and not voting, 7:

Aguilar  DeBoer  Pansing  Brooks  Wayne
Blood    McCollister  Stinner

The Brewer motion to place LB773 on General File prevailed with 30 ayes, 12 nays, and 7 excused and not voting.

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB917: AM2204 is available in the Bill Room.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Linehan name added to LB933.
VISITOR(S)

Visitors to the Chamber were a group from Girl Scouts Spirit of Nebraska; a group from Leadership Kearney; a group from Southwest Nebraska Leadership Institute, McCook; students and teachers from St. Libory Elementary, Grand Island; students from the University of Nebraska-Lincoln; and a group from Leadership Sarpy County.

The Doctor of the Day was Dr. Christi Keim of Lincoln.

ADJOURNMENT

At 5:11 p.m., on a motion by Senator Pahls, the Legislature adjourned until 9:00 a.m., Wednesday, March 9, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
THIRTY-EIGHTH DAY - MARCH 9, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

THIRTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, March 9, 2022

PRAYER

The prayer was offered by Senator Erdman.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Slama.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Geist and Lindstrom who were excused; and Senators Bostar, Day, B. Hansen, McCollister, McDonnell, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-seventh day was approved.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 697. Placed on Select File.

LEGISLATIVE BILL 824. Placed on Select File with amendment.

ER134
1 1. On page 1, line 2; and page 4, line 14, strike "71-407, 71-6501," 2 and insert "71-6501".
3 2. On page 1, line 3, after the semicolon insert "to redefine 4 terms;".
LEGISLATIVE BILL 795. Placed on Select File.

LEGISLATIVE BILL 1147. Placed on Select File with amendment.

ER133
1 1. On page 1, line 3, strike "and"; and in line 4 after "section"
2 insert "; and to declare an emergency".
3 2. On page 2, line 29, reinstate the stricken comma.

LEGISLATIVE BILL 807. Placed on Select File.
LEGISLATIVE BILL 698A. Placed on Select File.
LEGISLATIVE BILL 804A. Placed on Select File.
LEGISLATIVE BILL 1037A. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 984A. Introduced by Moser, 22.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to
aid in carrying out the provisions of Legislative Bill 984, One Hundred

AMENDMENT(S) - Print in Journal

Senator Lathrop filed the following amendment to LB1011:
FA74
Amend Committee Amendment AM1999 to strike any new matter including: Agency No. 46 - Department of Correctional Services

Senator Lathrop filed the following amendment to LB1011:
FA75
Amend Committee Amendment AM1999 to strike any new matter including: Nebraska Capital Construction Fund

Senator Lathrop filed the following amendment to LB1011:
FA76
Amend Committee Amendment AM1999 to strike any new matter including: Statewide Tourism and Recreational Water Access and Resource Sustainability

Senator Lathrop filed the following amendment to LB1011:
FA77
Amend Committee Amendment AM1999 to strike any new matter including: Perkins County Canal Project

Senator Lathrop filed the following amendment to LB1011:
FA78
Amend Committee Amendment AM1999 to strike any new matter including: Agency No. 7 - Governor
Senator Lathrop filed the following amendment to LB1011:

Amend Committee Amendment AM1999 to strike any new matter including: Program No. 18 - Governor's Policy Research Office

GENERAL FILE

LEGISLATIVE BILL 519. Title read. Considered.

Committee AM1781, found on page 511, was adopted with 33 ayes, 0 nays, 7 present and not voting, and 9 excused and not voting.

Advanced to Enrollment and Review Initial with 29 ayes, 6 nays, 5 present and not voting, and 9 excused and not voting.

LEGISLATIVE BILL 598. Title read. Considered.

Committee AM549, found on page 697, First Session, 2021, was offered.

Senator Hunt AM2126, found on page 718, was withdrawn.

The committee amendment was adopted with 40 ayes, 0 nays, 2 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 10 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 1023. Title read. Considered.

Committee AM1914, found on page 652, was offered.

SENATOR WILLIAMS PRESIDING

Committee AM1914, was adopted with 30 ayes, 2 nays, 11 present and not voting, and 6 excused and not voting.

Pending.

COMMITTEE REPORT(S)

Appropriations

LEGISLATIVE BILL 1193. Placed on General File.

(Signed) John Stinner, Chairperson
Revenue

LEGISLATIVE BILL 1261. Placed on General File with amendment. AM2211
LEGISLATIVE JOURNAL

1 1. On page 2, line 7, strike "2022", show as stricken, and insert
2 "2027".

(Signed) Lou Ann Linehan, Chairperson

Enrollment and Review

LEGISLATIVE BILL 450A. Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

AMENDMENT(S) - Print in Journal

Senator Lathrop filed the following amendment to LB1011:
AM2110
1 1. Strike section 1.
2 2. Renumber the remaining sections and correct internal references
3 accordingly.

Senator Lathrop filed the following amendment to LB1011:
AM2222
(Amendments to AM2110)
1 1. Strike amendment 2 and insert the following new section:
2 Section 1. For purposes of this act, FY2021-22 means the period from
3 July 1, 2022 to June 30, 2023.

Senator Lathrop filed the following amendment to LB1011:
AM2111
1 1. Strike section 2.
2 2. Renumber the remaining sections and correct internal references
3 accordingly.

Senator Lathrop filed the following amendment to LB1011:
AM2224
(Amendments to AM2111)
1 1. Strike amendment 2 and insert the following new section:
2 Section 1. There are hereby appropriated the sums set forth in this
3 act.

Senator Lathrop filed the following amendment to LB1011:
AM2112
1 1. Strike section 3.
2 2. Renumber the remaining sections and correct internal references
3 accordingly.

Senator Lathrop filed the following amendment to LB1011:
AM2225
(Amendments to AM2112)
1 1. Strike amendment 2 and insert the following new section:
2 Section 1. All unexpended amounts are hereby lapsed.
Senator Lathrop filed the following amendment to LB1011: AM2113
2. Renumber the remaining sections and correct internal references accordingly.

Senator Lathrop filed the following amendment to LB1011: AM2226 (Amendments to AM2113)
1. Strike amendment 2 and insert the following new section:

Section 1. All unexpended balances are hereby reappropriated.

Senator Brewer filed the following amendment to LB709: AM2171 (Amendments to Standing Committee amendments, AM1936)
1. On page 2, line 4, strike "and" and insert an underscored comma;
2. in line 7 after "Code" insert "and shall be selected from a list of"
3. journeyman electricians recommended by such organization"; in line 12
4. after "Code" insert "and shall be selected from a list of electrical contractors or master electricians recommended by such organization"; and
5. strike lines 25 through 31 and insert the following new subdivisions:
6. "(i)(A) The applicant holds (I) a credential in another state that has a reciprocal credentialing agreement with the State of Nebraska for such credential as determined by the board, (II) a military occupational specialty in the United States Military, or (III) a license with a prerequisite of apprentice registration and successful completion of an apprenticeship training program registered by the United States Department of Labor, and (B) The credential, military occupational specialty, or license is similar to a license issued pursuant to the State Electrical Act and is for an occupation with a similar scope of practice, as determined by the board.";
7. 2. On page 3, strike line 1.

LEGISLATIVE RESOLUTION 321. Introduced by Murman, 38.

WHEREAS, the sixtieth annual United States Senate Youth Program will be held virtually from Washington, D.C., on March 5, 2022, through March 10, 2022; and
WHEREAS, Ellie Janda is an outstanding student at Blue Hill High School; and
WHEREAS, Ellie has distinguished herself in leadership, academics, and volunteerism; and
WHEREAS, Ellie was selected as one of two delegates from Nebraska for the sixtieth annual United States Senate Youth Program and was chosen to be part of a group of one hundred four student delegates from across the nation who will attend the program’s Washington Week virtually; and
WHEREAS, Ellie will receive an accompanying undergraduate college scholarship of $10,000; and
WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Ellie Janda on being selected as a delegate to the sixtieth annual United States Senate Youth Program.
2. That copies of this resolution be sent to Blue Hill High School and Ellie Janda.

Laid over.

LEGISLATIVE RESOLUTION 322. Introduced by McKinney, 11.

WHEREAS, the 2022 Nebraska School Activities Association State Wrestling Tournament was held from February 17 through February 19 at the CHI Health Center Omaha; and
WHEREAS, Tyler Stewart, Tyson Terry, and Dameonte Lindsay wrestled for the Omaha North Boys Wrestling team and Ann Marie Meiman and La’Nie Green wrestled for the Omaha North Girls Wrestling Team; and
WHEREAS, Tyson Terry won the Class A 285-pound state championship match, his 2nd state championship win; and
WHEREAS, Dameonte Lindsay earned fourth place in the Class A 145-pound division; and
WHEREAS, Ann Marie Meiman earned fifth place in the Girls 132-pound division; and
WHEREAS, La’Nie Green earned fourth place in the Girls 152-pound division; and
WHEREAS, the Omaha North Boys Wrestling team earned a top-ten finish in the 2022 Nebraska State Wrestling Tournament; and
WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the Omaha North wrestlers Tyler Stewart, Tyson Terry, Dameonte Lindsay, Ann Marie Meiman, and La’Nie Green on their success in the 2022 Nebraska State Wrestling Tournament.
2. That the Legislature congratulates the Omaha North Boys Wrestling Team on its top-ten finish in the 2022 Nebraska State Wrestling Tournament.
3. That copies of this resolution be sent to Omaha North High School, Tyler Stewart, Tyson Terry, Dameonte Lindsay, Ann Marie Meiman, and La’Nie Green, as well as Omaha North Wrestling Coaches Daniel Carlson, Steven Kirchner, James Jones Jr., and Robert Ozuna.

Laid over.
LEGISLATIVE RESOLUTION 323. Introduced by McKinney, 11.

WHEREAS, Ready RP Nationals Wrestling Team provides invaluable mentorship and coaching to the young men and women wrestlers of North Omaha; and
WHEREAS, Roger Parker is the director and head coach of Ready RP Nationals Wrestling Team; and
WHEREAS, Ready RP Nationals Wrestling Team serves more than one hundred youths every year, with many of its members going on to wrestle at the collegiate, national, and international levels; and
WHEREAS, Ready RP Nationals Wrestling Team has created a haven for the youth of North Omaha to learn and grow not only in wrestling, but in education and their personal lives; and
WHEREAS, the inspirational work of Ready RP Nationals Wrestling Team and Roger Parker continues the legacy of the late great Coach Joe Edmonson in mentoring and guiding the youth of North Omaha.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature recognizes Roger Parker and Ready RP Nationals Wrestling Team for their commitment to mentoring and coaching young men and women wrestlers in the North Omaha Community.
2. That a copy of this resolution be sent to Roger Parker.

Laid over.

LEGISLATIVE RESOLUTION 324. Introduced by McKinney, 11.

WHEREAS, B&B Sports Academy was founded by Terence "Bud" Crawford and Brian "BoMac" McIntyre; and
WHEREAS, B&B Sports Academy is a community based athletic center in North Omaha that builds up body, mind, and character; and
WHEREAS, the coaches of B&B Sports Academy focus not just on providing boxing and fitness training to young men and women, but also on teaching them about life skills, respect, and dignity; and
WHEREAS, B&B Sports Academy provides positive and structured activities that teach confidence, discipline, and healthy habits for a lifetime; and
WHEREAS, Terence "Bud" Crawford and Brian "BoMac" McIntyre have performed a tremendous service for the community of North Omaha by founding B&B Sports Academy as a source of mentorship and coaching for youth.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature recognizes B&B Sports Academy and its founders Terence "Bud" Crawford and Brian "BoMac" McIntyre for their commitment to mentoring and coaching young men and women boxers in the North Omaha community.
2. That copies of this resolution be sent to Terence "Bud" Crawford and Brian "BoMac" McIntyre.

Laid over.

LEGISLATIVE RESOLUTION 325. Introduced by McKinney, 11.

WHEREAS, the Malcolm X Memorial Foundation was founded by Rowena Moore in 1971; and
WHEREAS, the Malcolm X Memorial Foundation works to bring residents together to commemorate the legacy of El-Hajj Malik El-Shabazz, most commonly known as Malcolm X; and
WHEREAS, the Malcolm X Memorial Foundation helps empower and educate its community by providing educational programs, a community radio station, town hall forums, and other special events all held on the grounds of the birth site of Malcolm X; and
WHEREAS, a central goal of the Malcolm X Memorial Foundation is to educate the public using Malcolm X's human rights teachings on a local, national, and international scale; and
WHEREAS, Malcolm X Memorial Foundation aims to improve its community through civic engagement, direct action, economic empowerment, scholarship, service, and the liberation of the human spirit.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature recognizes the Malcolm X Memorial Foundation for its work in the community.
2. That a copy of this resolution be sent to the Malcolm X Memorial Foundation.

Laid over.

LEGISLATIVE RESOLUTION 326. Introduced by McKinney, 11.

WHEREAS, ReConnect, Inc., was founded in 2012 by LaVon Stennis-Williams; and
WHEREAS, ReConnect, Inc., is a non-profit organization dedicated to providing support and services to youth and adults involved in the criminal justice system or at risk of involvement; and
WHEREAS, the primary goal of ReConnect, Inc., is empowering its clients by providing them the tools needed to transform their lives and the communities in which they live in order for them to inspire other individuals to strive for success; and
WHEREAS, ReConnect, Inc., works to reduce recidivism, truancy, high school dropout rates, and unemployment within the community; and
WHEREAS, ReConnect, Inc., has helped over 500 individuals both in the prison systems and in post-release from incarceration prepare for returning to their community.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE
ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND
SESSION:
1. That the Legislature recognizes ReConnect, Inc., and its founder and
executive director LaVon Stennis-Williams for assisting citizens and youth
returning to the community.
2. That copies of this resolution be sent ReConnect, Inc., and LaVon
Stennis-Williams.

Laid over.

EXPLANATION(S) OF VOTE(S)

Had I been present, I would have voted "aye" on final passage of LBs 567,
704, 749e, 786, 791, and 847.

(Signed) Wendy DeBoer

GENERAL FILE

LEGISLATIVE BILL 1023. Considered.

Advanced to Enrollment and Review Initial with 29 ayes, 4 nays, 10 present
and not voting, and 6 excused and not voting.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So
ordered.

Senator Bostar name added to LB717.
Senator Aguilar name added to LB933.

RECESS

At 12:08 p.m., on a motion by Senator Jacobson, the Legislature recessed
until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Foley presiding.

ROLL CALL

The roll was called and all members were present except Senator Geist who
was excused; and Senators Blood, Bostar, M. Cavanaugh, Day, Dorn,
Halloran, B. Hansen, Hilkemann, Hunt, Lindstrom, Linehan, McKinney,
Pansing Brooks, Stinner, Vargas, and Walz who were excused until they
arrive.
LEGISLATIVE BILL 932. Placed on General File with amendment.

AM2241
11. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 43-907, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 43-907 (1) Unless a guardian shall have been appointed by a court
6 of competent jurisdiction, the Department of Health and Human Services
7 shall take custody of and exercise general control over assets owned by
8 children under the charge of the department. Children owning assets shall
9 at all times pay for personal items. Assets over and above a maximum of
10 one thousand dollars and current income shall be available for
11 reimbursement to the state for the cost of care. Assets may be deposited
12 in a checking account, invested in United States bonds, or deposited in a
13 savings account insured by the United States Government. All income
14 received from the investment or deposit of assets shall be credited to
15 the individual child whose assets were invested or deposited. The
16 department shall make and maintain detailed records showing all receipts,
17 investments, and expenditures of assets owned by children under the
18 charge of the department.
19 (2) When the Department of Health and Human Services serves as
20 representative payee or in any fiduciary capacity for a child beneficiary
21 of social security benefits, the department shall provide:
22 (a) Immediate notice to the child beneficiary, in an age-appropriate
23 manner, and the child's guardian ad litem, of (i) the department’s
24 receipt of the child’s first payment of social security benefits,
25 including the amount received, and (ii) where the payment was deposited;
26 (b) Notice and accounting to the juvenile court on a biannual basis
27 beginning January 1, 2023, regarding the department’s receipt, use, and
28 conservation of the child's social security benefits in accordance with
29 this section including:
30 (i) The dates and amounts of social security benefits received on
31 behalf of the child since any prior notification;
32 (ii) An accounting of the child's assets and resources relating to
33 the receipt of social security benefits, including all earnings, assets,
34 and other resources, programs, or accounts maintained on behalf of the
35 child receiving such social security benefits; and
36 (iii) Records of any communication with the Social Security
37 Administration regarding the child beneficiary's receipt of social
38 security benefits since any prior notification; and
39 (c) All accounting records regarding the department's receipt, use,
40 and conservation of the child’s social security benefits, including an
41 accounting of all existing earnings, assets, and other resources,
42 programs, or accounts maintained on behalf of the child receiving such
43 social security benefits, to the child beneficiary, the child’s guardian
44 ad litem or attorney, or the child’s parent upon:
45 (i) Request from the child beneficiary, the child's guardian ad
46 litem or attorney, or the child’s parent; and
47 (ii) Termination of the department’s role as the child beneficiary's
48 representative payee;
49 (3) On or before October 1, 2023, the Department of Health and Human
50 Services shall adopt and promulgate rules and regulations to carry out
51 subsection (2) of this section consistent with federal requirements
52 regarding representative payees for social security beneficiaries.
53 Sec. 2. Original section 43-907, Reissue Revised Statutes of
54 Nebraska, is repealed.
RESOLUTION(S)

LEGISLATIVE RESOLUTION 327. Introduced by Vargas, 7.

PURPOSE: The purpose of this resolution is to propose an interim study to examine severe maternal morbidity and make recommendations that will improve the quality of care for mothers and babies. The study shall include, but not be limited to, an examination of:

1. National and best practices related to the prevention of severe maternal morbidity;
2. The known causes of severe maternal morbidity in Nebraska;
3. The status of the state's current system of monitoring severe maternal morbidity;
4. Racial, economic, and geographic disparities that exist in severe maternal morbidity in Nebraska;
5. Potential programs to address severe maternal morbidity and improve outcomes for mothers, as well as funding opportunities for such programs; and
6. Potential statutory or administrative changes that would support improved outcomes for maternal health care.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

AMENDMENT(S) - Print in Journal

Senator Albrecht filed the following amendment to LB933:

1. On page 3, line 23, strike "act" and insert "Nebraska Human Life Protection Act".

GENERAL FILE

LEGISLATIVE BILL 1015. Title read. Considered.

Pending.

COMMITTEE REPORT(S)

Education

LEGISLATIVE BILL 912. Placed on General File with amendment.
AM2214

1. Strike the original sections and insert the following new sections:

3 Sec. 1. (1) The State Department of Education shall establish a mental health first aid training program for teachers and other personnel employed by a school district or an educational service unit participating in a grant under subsection (2) of section 79-1054. (2) The mental health first aid training is to be delivered by trainers who are properly certified by a national organization for behavioral health to provide training meeting the requirements of this section. The program shall also provide an opportunity for teachers and other designated personnel to complete the training necessary to become certified by a national organization for behavioral health to provide mental health first aid training to other teachers and designated personnel.

5. (1) Mental health first aid training shall include training on:

6. (a) The skills, resources, and knowledge necessary to assist students in crisis to connect with appropriate local mental health care services;

7. (b) Mental health resources, including the location of local community mental health centers; and

8. (c) Action plans and protocols for referral to such resources.

9. (2) A recipient of mental health first aid training shall also receive instruction in preparation to:

10. (a) Safely de-escalate crisis situations;

11. (b) Recognize the signs and symptoms of mental illness, including such psychiatric conditions as major clinical depression and anxiety disorders; and

12. (c) Timely refer a student to mental health services in the early stages of the development of a mental disorder to avoid subsequent behavioral health care and to enhance the effectiveness of mental health services.

13. (5) It is the intent of the Legislature that the mental health first aid training program under this section shall be funded using lottery funds under section 9-812.

14. Sec. 2. Section 79-1054, Revised Statutes Cumulative Supplement, 2020, is amended to read:

15. (1) (a) This subsection applies until July 1, 2024.

16. (b) The State Board of Education shall establish a competitive improvement grant program with funding from the Nebraska Education Improvement Fund pursuant to section 9-812. Grantees shall be a school district, an educational service unit, or a combination of entities that includes at least one school district or educational service unit. For grantees that consist of a combination of entities, a participating school district or educational service unit shall be designated to act as the fiscal agent and administer the program funded by the grant. The 19 state board shall only award grants pursuant to applications that the 20 state board deems to be sufficiently innovative and to have a high chance of success.

17. (c) An application for a grant pursuant to this subsection shall describe:

18. (i) Specific measurable objectives for improving education outcomes for early childhood students, elementary students, middle school students, or high school students or for improving the transitions between any successive stages of education or between education and the workforce;

19. (ii) The method for annually evaluating progress toward a measurable objective, with a summative evaluation of progress submitted to the state board and electronically to the Education Committee of the 1 Legislature on or before July 1, 2019;
2 (iii) (a) The potential for the project to be both scalable and
3 replicable; and
4 (iv) (a) Any cost savings that could be achieved by reductions in
5 other programs if the funded program is successful.
6 (ii) (a) Based on evaluations received on or before July 1, 2019, for
7 each grant, the State Board of Education shall recommend the grant
8 project as:
9 (i) (a) Representing a best practice;
10 (ii) (b) A model for a state-supported program; or
11 (iii) (a) A local issue for further study.
12 (c) On or before December 1, 2017, and on or before December 1
13 of each year thereafter, the state board shall electronically submit a
14 report to the Clerk of the Legislature on all such grants, including, but
15 not limited to, the results of the evaluations for each grant. The state
16 board may adopt and promulgate rules and regulations to carry out this
17 subsection, including, but not limited to, application
18 procedures, selection procedures, and annual evaluation reporting
19 procedures.
20 (2)(a) This subsection applies beginning July 1, 2024.
21 (b) The State Board of Education shall establish innovation grants
22 programs in areas, including, but not limited to, (i) mental health first
23 aid, (ii) early literacy, (iii) quality instructional materials, (iv)
24 personalized learning through digital education, or (v) other innovation
25 areas identified by the board. It is the intent of the Legislature that
26 such grant programs shall be funded using lottery funds under section
27 7-812. Grantees shall be a school district, an educational service unit,
28 or a combination of entities that includes at least one school district
29 or educational service unit,
30 (c) An application for participating in an innovation grant pursuant
31 to this subsection shall describe:
32 (i) Specific measurable objectives for improving education outcomes
33 for early childhood students, elementary students, middle school
34 students, or high school students or for improving the transitions
35 between any successive stages of education or between education and the
36 workforce;
37 (ii) Participation in a method for annually evaluating progress
38 toward a measurable objective, with a summative evaluation of progress
39 submitted to the state board and electronically to the Education
40 Committee of the Legislature on or before July 1 of each year;
41 (iii) The potential for the grant program to be both scalable and
42 replicable; and
43 (iv) Any cost savings that could be achieved by reductions in other
44 programs if the grant program is successful.
45 (d) Based on evaluations received on or before July 1 of each year
46 for each grant program, the State Board of Education shall recommend the
47 grant program as:
48 (i) Representing a best practice;
49 (ii) A model for a state-supported program; or
50 (iii) A local issue for further study.
51 (e) On or before December 1 of each year, the state board shall
52 electronically submit a report to the Clerk of the Legislature on all
53 such grant programs, including, but not limited to, the results of the
54 evaluations for each grant program. The state board may adopt and
55 promulgate rules and regulations to carry out this subsection, including,
56 but not limited to, application procedures, selection procedures, and
57 annual evaluation reporting procedures.
58 (3) (a) The Department of Education Innovative Grant Fund is
59 created. The fund shall be administered by the State Department of
60 Education and shall consist of transfers pursuant to section 9-812,
61 repayments of grant funds, and interest payments received in the course
31 of administering this section. The fund shall be used to carry out this
1 section. Any money in the fund available for investment shall be invested
2 by the state investment officer pursuant to the Nebraska Capital
3 Expansion Act and the Nebraska State Funds Investment Act.
4 Sec. 3. Section 1 of this act becomes operative on July 1, 2024.
5 The other sections of this act become operative on their effective date.
6 Sec. 4. Original section 79-1054, Revised Statutes Cumulative
7 Supplement, 2020, is repealed.

LEGISLATIVE BILL 1158. Placed on General File with amendment.

AM2143
1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 79-530, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 79-530 The Legislature finds and declares:
6 (1) That parental involvement of parents and guardians is a key
7 factor in the education of children;
8 (2) That parents or guardians need to be informed of the educational
9 practices affecting their children; and
10 (3) That public schools should foster and facilitate parents' and
11 guardians' access to parental information about, and involvement in,
12 educational practices affecting their children.
13 It is the intent of the Legislature, through the enactment of
14 sections 79-531 to 79-533 and sections 5, 6, and 7 of this act, to
15 strengthen the level of parental involvement and participation by parents
16 and guardians in the public school system of the state.
17 Sec. 2. Section 79-531, Reissue Revised Statutes of Nebraska, is
18 amended to read:
19 79-531 On or before July 1, 2023 (1), each public school district
20 in the state shall develop and adopt a policy stating how the district
21 will (1) involve parents and guardians in the education of their
22 children (2) and the rights of each parent or guardian to:
23 (1) Access what parents' rights shall be relating to access to the
24 schools, testing information, and curriculum; and matters.
25 (2) Request that a child be excused from specific instruction or
26 activities.
27 Sec. 3. Section 79-532, Reissue Revised Statutes of Nebraska, is
1 amended to read:
2 79-532 (1) The policy required by section 79-531 shall include, but
3 need not be limited to, the following:
4 (a) (4) How the school district will provide access to parents or
5 guardians concerning textbooks; tests; activities information; digital
6 materials; websites or applications used for learning; training materials
7 for teachers, administrators, and staff; procedures for the review and
8 approval of training materials, learning materials, and activities; and
9 other curriculum materials used in the school district;
10 (b) (2) How the school district will accommodate handle requests by
11 parents or guardians to attend and monitor courses, assemblies,
12 counseling sessions, and other instructional activities;
13 (c) (4) Under what circumstances parents or guardians may ask that
14 their children be excused from testing, classroom instruction, learning
15 materials, activities, guest speaker events, and other school experiences
16 the parents or guardians may find objectionable;
17 (d) (4) How the school district will provide access to records of
18 students;
19 (e) (4) What the school district's testing policy will be; and
20 (f) (4) How the school district participates in surveys of students
21 and the right of parents or guardians to remove their children from such
22 surveys.
Nothing in this section shall be construed to require disclosure of information in violation of the federal Family Educational Rights and Privacy Act of 1974, as amended, 20 U.S.C. 1232g, or any federal regulations and applicable guidelines adopted in accordance with such act, as such act, regulations, and guidelines existed on January 1, 2023.

The policy required by section 79-533 shall be developed with parental input from parents and guardians and shall be the subject of a public hearing before the school board or board of education of the school district before adoption by the board. The policy shall be reviewed annually and either altered and adopted as altered or reaffirmed by the board following a public hearing. Any public hearing under this section shall include a reasonable opportunity for public comments. By August 1, 2023, each school district shall make the policy required by section 79-533 accessible on the school district's public website. The policy shall be accessible by a prominently displayed link on such website. If the policy is altered, the new version of the policy shall be made accessible within a reasonable time thereafter.

To the extent practicable, each public school district shall make a reasonable effort to make any learning materials, including original materials, available for inspection by a parent or guardian upon request.

If the Commissioner of Education determines that any school district has intentionally refused, in a material manner, to comply with sections 79-531 to 79-533 and sections 5 and 6 of this act, the commissioner shall notify the school district of the noncompliance and allow the school district a reasonable time to comply. If the commissioner determines, after such time has elapsed, that the school district is not in compliance and has not made a good faith attempt to comply, the commissioner shall take appropriate remedial action within the commissioner's authority, up to and including qualifying such noncompliance as a violation of the rules and regulations for the accreditation of schools.

Original sections 79-530, 79-531, 79-532, and 79-533, Reissue Revised Statutes of Nebraska, are repealed.

(Signed) Lynne Walz, Chairperson

General Affairs

LEGISLATIVE BILL 876. Placed on General File with amendment. AM2188 is available in the Bill Room.

(Signed) Tom Briese, Chairperson

Banking, Commerce and Insurance

LEGISLATIVE BILL 943. Placed on General File.

(Signed) Matt Williams, Chairperson
The following bill was read for the first time by title:

**LEGISLATIVE BILL 896A.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 896, One Hundred Seventh Legislature, Second Session, 2022.

**AMENDMENT(S) - Print in Journal**

Senator Albrecht filed the following amendment to **LB1011**:

**AM2244**

(Amendments to Standing Committee amendments, AM1999)

1. Insert the following new section:
2. Sec. 39. **AGENCY NO. 13 — STATE DEPARTMENT OF EDUCATION**
3. Program No. 25 - Education, Administration, and Support
4. It is the intent of the Legislature that no funds appropriated to
5. Agency 13, Program 25, Education, Administration, and Support, shall be
6. used to research, adopt, or implement state sex education standards for
7. Nebraska schools. This prohibition on the use of funds applies regardless
8. of whether the standards are proposed as mandatory or voluntary
9. standards.
10. 2: Renumber the remaining sections and change internal references
11. accordingly.

Senator Lathrop filed the following amendment to **LB1013**:

**FA80**

Amend Committee Amendment AM2001 to strike any new matter including: Nebraska Capital Construction Fund

Senator Lathrop filed the following amendment to **LB1013**:

**FA81**

Amend Committee Amendment AM2001 to strike any new matter including: Perkins County Canal

Senator Lathrop filed the following amendment to **LB1013**:

**FA82**

Amend Committee Amendment AM2001 to strike any new matter including: State Treasurer

Senator Lathrop filed the following amendment to **LB1013**:

**FA83**

Amend Committee Amendment AM2001 to strike any new matter including: Cash Reserve Fund

Senator Lathrop filed the following amendment to **LB1013**:

**FA84**

Amend Committee Amendment AM2001 to strike any new matter including: Department of Administrative Services
Senator Lathrop filed the following amendment to LB1013:

FA85
Amend Committee Amendment AM2001 to strike any new matter including: Million dollars

Senator Lathrop filed the following amendment to LB1013:

AM2252
(Amendments to AM2001)
1. Strike subsection (1) of section 1.
2. Renumber the remaining subsections in section 1 and correct 3 internal references accordingly.

Senator Lathrop filed the following amendment to LB1013:

AM2256
(Amendments to AM2252)
1. Strike amendment 2 and insert the following new subsection (1) in section 1:
3 "(1) The Cash Reserve Fund is hereby created.".

Senator Lathrop filed the following amendment to LB1013:

AM2253
(Amendments to AM2001)
1. Strike subsection (2) of section 1.
2. Renumber the remaining subsections in section 1 and correct 3 internal references accordingly.

Senator Lathrop filed the following amendment to LB1013:

AM2257
(Amendments to AM2253)
1. Strike amendment 2 and insert the following new subsection (2) in section 1:
3 "[2] The Treasurer shall transfer funds from the Cash Reserve Fund
to the General Fund upon certification by the Director of Administrative Services that the current cash balance is inadequate."

Senator Lathrop filed the following amendment to LB1013:

AM2254
(Amendments to AM2001)
1. Strike subsection (3) of section 1.
2. Renumber the remaining subsections in section 1 and correct 3 internal references accordingly.

Senator Lathrop filed the following amendment to LB1013:

AM2258
(Amendments to AM2254)
1. Strike amendment 2 and insert the following new subsection (3) in section 1:
3 "[3] The Cash Reserve Fund shall receive federal funds."

Senator Lathrop filed the following amendment to LB1013:

AM2255
(Amendments to AM2001)
1. Strike subsection (4) of section 1.
2. Renumber the remaining subsections in section 1 and correct 3 internal references accordingly.
Senator Lathrop filed the following amendment to LB1013:

**AM2259**

(Amendments to AM2255)

1. Strike amendment 2 and insert the following new subsection (4) in section 1:

"(4) The State Treasurer shall transfer zero dollars to the Nebraska Capital Construction Fund.".

Senator Albrecht filed the following amendment to LB1011:

**AM2260**

(Amendments to Standing Committee amendments, AM1999)

1. Insert the following new section:

Sec. 39. AGENCY NO. 13 — STATE DEPARTMENT OF EDUCATION

Program No. 25 — Education, Administration, and Support

It is the intent of the Legislature that no funds appropriated to Agency 13, Program 25, Education, Administration, and Support, shall be used to research, adopt, or implement state sex education standards for Nebraska schools. This prohibition on the use of funds applies regardless of whether the standards are proposed as mandatory or voluntary standards.

2. Renumber the remaining sections and change internal references accordingly.

Senator Albrecht filed the following amendment to LB1011:

**AM2261**

(Amendments to Final Reading copy)

1. Insert the following new section:

Sec. 39. AGENCY NO. 13 — STATE DEPARTMENT OF EDUCATION

Program No. 25 — Education, Administration, and Support

It is the intent of the Legislature that no funds appropriated to Agency 13, Program 25, Education, Administration, and Support, shall be used to research, adopt, or implement state sex education standards for Nebraska schools. This prohibition on the use of funds applies regardless of whether the standards are proposed as mandatory or voluntary standards.

2. Renumber the remaining sections and change internal references accordingly.

Senator Briese filed the following amendment to LB876:

**AM2189**

(Amendments to Standing Committee amendments, AM2188)

1. On page 4, line 17, strike "conducts" and insert "operates".

Senator Briese filed the following amendment to LB876:

**AM2191**

(Amendments to Standing Committee amendments, AM2188)

1. On page 15, line 15, strike "operating" and insert "conducting".

**GENERAL FILE**

**LEGISLATIVE BILL 1015.** Considered.

**SENATOR ARCH PRESIDING**

Speaker Hilgers moved for a call of the house. The motion prevailed with 31 ayes, 3 nays, and 15 not voting.
Advanced to Enrollment and Review Initial with 36 ayes, 3 nays, 9 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

**COMMITTEE REPORT(S)**

*Education*

**LEGISLATIVE BILL 902.** Placed on General File with amendment. AM2194 is available in the Bill Room.

**LEGISLATIVE BILL 1218.** Placed on General File with amendment. AM2213 is available in the Bill Room.

(Signed) Lynne Walz, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 1073.** Title read. Considered.

Committee AM1969, found on page 612, was offered.

Senator Wayne moved for a call of the house. The motion prevailed with 35 ayes, 4 nays, and 10 not voting.

Committee AM1969, was adopted with 29 ayes, 8 nays, 9 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 29 ayes, 7 nays, 10 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

**AMENDMENT(S) - Print in Journal**

Senator Briese filed the following amendment to LB876: AM2276

(Amendments to Standing Committee amendments, AM2188)

1 1. On page 15, line 15, strike "operating" and insert "conducting".

Senator Morfeld filed the following amendment to LB1045: AM2268

(Amendments to Standing Committee amendments, AM2081)

1 1. On page 2, line 2, strike "Remit payment of" and insert "Pay" and 2 after "dollars" insert "forty million dollars of which shall be used by 3 the public power supplier for the deployment of broadband service in 4 unserved areas and underserved areas, as such terms are defined in 5 section 86-1302, served by the public power supplier, with the remainder 6 remitted".
UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Wayne name added to LB59.
Senator Wayne name added to LB75.
Senator Wayne name added to LB91.
Senator Wayne name added to LB567.
Senator Wayne name added to LB691.
Senator Wayne name added to LB697.
Senator Wayne name added to LB779.
Senator Wayne name added to LB780.
Senator Wayne name added to LB786.
Senator Wayne name added to LB791.
Senator Wayne name added to LB807.
Senator Wayne name added to LB808.
Senator Sanders name added to LB813.
Senator Wayne name added to LB824.
Senator Wayne name added to LB847.
Senator Erdman name added to LB933.
Senator Wayne name added to LB971.
Senator Wayne name added to LB1173.
Senator Wayne name added to LB1204.
Senator Linehan name added to LR318.
Senator Aguilar name added to LR318.
Senator Wayne name withdrawn from LB1037.

VISITOR(S)

Visitors to the Chamber were members of the March for Dimes, Omaha; Nebraska Chapter of the American Foundation for Suicide Prevention from across the state; Senator Hilkemann’s wife, Julie, and his five grandchildren from Waco, Texas; Catholics at the Capitol from all across the state; Friends of Senator Erdman’s from Bridgeport; and Hiroshi Tajima, Consulate-General of Japan in Chicago, and three of his associates.

The Doctor of the Day was Dr. Joe Miller of Omaha.

ADJOURNMENT

At 5:05 p.m., on a motion by Senator Linehan, the Legislature adjourned until 9:00 a.m., Thursday, March 10, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
THIRTY-NINTH DAY - MARCH 10, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

THIRTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, March 10, 2022

PRAYER
The prayer was offered by Pastor Jeff Scheich, Christ Lincoln-Yankee Hill, Lincoln.

PLEDGE OF ALLEGIANCE
The Pledge of Allegiance was offered by Senator Clements.

ROLL CALL
Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Williams presiding.

The roll was called and all members were present except Senators Bostar, Day, B. Hansen, M. Hansen, Lathrop, Pansing Brooks, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL
The Journal for the thirty-eighth day was approved.

BILL ON FIRST READING
The following bill was read for the first time by title:

LEGISLATIVE BILL 902A. Introduced by Aguilar, 35.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2021, LB380, section 167; to appropriate funds to carry out the provisions of Legislative Bill 902, One Hundred Seventh Legislature, Second Session, 2022; and to repeal the original section.
LEGISLATIVE BILL 773. Title read. Considered.

Senator Brewer, AM1757, found on page 509, was offered.

Senator J. Cavanaugh offered, AM1794, found on page 518, to AM1757, was offered.

Pending.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 436. Placed on Final Reading.
LEGISLATIVE BILL 698. Placed on Final Reading.
LEGISLATIVE BILL 769. Placed on Final Reading.
LEGISLATIVE BILL 804. Placed on Final Reading.
LEGISLATIVE BILL 820. Placed on Final Reading.
LEGISLATIVE BILL 840. Placed on Final Reading.
LEGISLATIVE BILL 864. Placed on Final Reading.
LEGISLATIVE BILL 887. Placed on Final Reading.

ST47
The following changes, required to be reported for publication in the Journal, have been made:
1. On page 4, line 15, “school” has been struck, shown as stricken, and “state college” inserted.

LEGISLATIVE BILL 998. Placed on Final Reading.
LEGISLATIVE BILL 1065. Placed on Final Reading.
LEGISLATIVE BILL 1246. Placed on Final Reading.

LEGISLATIVE RESOLUTION 283CA. Placed on Final Reading.

LEGISLATIVE BILL 1112. Placed on Select File with amendment.

ER135
1 1. Strike the original sections and all amendments thereeto and
2 insert the following new sections:
3 Section 1. Sections 1 to 5 of this act shall be known and may be
4 cited as the Computer Science and Technology Education Act.
5 Sec. 2. The Legislature finds and declares that it is the policy of
6 this state to promote computer science and technology education in each
7 school district in order to (1) provide students the skills and
8 competencies to compete in a twenty-first-century workforce, (2) develop
9 skills that translate to high-skill, high-wage jobs, and (3) encourage
10 the creation and retention of new, high-paying jobs in Nebraska.
11 Sec. 3. For purposes of the Computer Science and Technology
12 Education Act, computer science and technology education includes, but is
13 not limited to, knowledge and skills regarding computer literacy,
14 educational technology, digital citizenship, information technology, and
15 computer science.
16 Sec. 4. Beginning with school year 2024-25, each school district,
17 in consultation with the State Department of Education, shall include
18 computer science and technology education in the instructional program of
its elementary and middle schools, as appropriate, and beginning in
school year 2026-27, require each student attending a public school to
complete at least one five-credit high school course or the equivalent of
a one-semester high school course in computer science and technology
prior to graduation. Such computer science and technology education
course offered by a school district may be made available in a
traditional classroom setting, a blended-learning environment, or an
online-based or other technology-based format that is tailored to meet
the need of each participating student.

Sec. 5. On or before December 1, 2025, and on or before December 1
of each year thereafter, in order to promote and support computer science
and technology education, each school district shall provide an annual
computer science and technology education status report to its school
board and the State Department of Education, including, but not limited
to, student progress in computer science and technology courses and other
district-determined measures of computer science and technology education
progress from the previous school year.

Sec. 6. Section 79-729, Revised Statutes Supplement, 2021, is
amended to read:
79-729 The Legislature recognizes the importance of assuring that
each person who graduates from Nebraska high schools possess certain
minimum levels of knowledge, skills, and understanding. Each high school
student shall complete a minimum of two hundred high school credit hours
prior to graduation. At least eighty percent of the minimum credit hours
shall be core curriculum courses prescribed by the State Board of
Education. For students attending a public school, beginning Beginning in
school year 2023-24, at least five of the minimum credit hours shall be a
high school course in personal finance or financial literacy and
beginning in school year 2026-27, at least five of the minimum credit
hours shall be a high school course or the equivalent of a one-semester
high school course in computer science and technology. The State Board of
Education may establish recommended state-wide graduation guidelines. This
section does not apply to high school students whose individualized
education programs prescribe a different course of instruction. This
section does not prohibit the governing board of any high school from
prescribing specific graduation guidelines as long as such guidelines do
not conflict with this section. For purposes of this section, high school
means grades nine through twelve and credit hour shall be defined by
appropriate rules and regulations of the State Board of Education but
shall not be less than the amount of credit given for successful
completion of course which meets at least one period per week for at
least one semester.

Sec. 7. Section 79-760.01, Revised Statutes Supplement, 2021, is
amended to read:
79-760.01 (1) The State Board of Education shall adopt measurable
academic content standards for at least the grade levels required for
statewide assessment pursuant to section 79-760.03. The standards shall
cover the subject areas of reading, writing, mathematics, science, and
social studies.
(2) The board shall also adopt measurable academic content standards
for financial literacy as part of the social studies standards. The board
shall also adopt measurable academic content standards for computer
science and technology education under the mathematics, science, or
career and technical education standards.
(3) Academic content standards adopted or recommended pursuant to
this section shall be sufficiently clear and measurable to be used for
testing student performance with respect to mastery of the content
described in the state standards.
(4) The State Board of Education shall develop a plan to review and
update standards for each subject area every seven years. The state board
21 plan shall include a review of commonly accepted standards adopted by
22 school districts.
23 Sec. 8. Section 79-3003, Revised Statutes Supplement, 2021, is
24 amended to read:
25 79-3003 Beginning with school year 2023-24, each school district, in
26 consultation with the State Department of Education, shall include
27 financial literacy instruction, as appropriate, in the instructional
28 program of its elementary and middle schools and require each student
29 attending a public school to complete at least one five-credit high
30 school course in personal finance or financial literacy prior to
31 graduation.
1 Sec. 9. Original sections 79-729, 79-760.01, and 79-3003, Revised
2 Statutes Supplement, 2021, are repealed.
3 2. On page 1, strike beginning with "and" in line 1 through line 5
4 and insert ", 79-760.01, and 79-3003, Revised Statutes Supplement, 2021;
5 to adopt the Computer Science and Technology Education Act; to provide
6 and change graduation requirements; to change duties relating to academic
7 content standards; and to repeal the original sections."

(Signed) Terrell McKinney, Chairperson

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 910A. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to
aid in carrying out the provisions of Legislative Bill 910, One Hundred
Seventh Legislature, Second Session, 2022; to reduce appropriations; and to
declare an emergency.

AMENDMENT(S) - Print in Journal

Senator McCollister filed the following amendment to LB1045:
AM2274 (Amendments to Standing Committee amendments, AM2081)
1 1. Strike section 1.
2 2. Renumber the remaining sections accordingly.

Senator McCollister filed the following amendment to LB1045:
AM2275 (Amendments to Standing Committee amendments, AM2081)
1 1. Strike sections 3 to 5.
2 2. Renumber the remaining section and correct the repealer
3 accordingly.

Senator M. Hansen filed the following amendment to LB1045:
AM2267 (Amendments to Standing Committee amendments, AM2081)
1 1. On page 2, line 2, strike "Remit payment of" and insert "Pay"
2 after "dollars" insert "forty million dollars of which shall be used by
3 the public power supplier for the development of carbon-free generation,
4 with the remainder remitted".
Senator DeBoer filed the following amendment to LB741:
AM2163
(Amendments to Standing Committee amendments, AM1683)
1 1. On page 3, strike beginning with "(a)" in line 15 through line
2 16.

Senator Brandt filed the following amendment to LB741:
AM2177 is available in the Bill Room.

Senator McCollister filed the following amendment to LB1150:
AM2236 is available in the Bill Room.

Senator M. Cavanaugh filed the following amendment to LB91:
FA86
Amend ER116: Strike "may" on p. 1, line 13 and replace with "shall"

LEGISLATIVE BILL 773. Senator J. Cavanaugh renewed his amendment,
AM1794, found on page 518 and considered in this day's Journal.

Pending.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 328. Introduced by Aguilar, 35.

PURPOSE: The purpose of this resolution is to propose an interim study to
determine whether rules and regulations guiding the inspection and
permitting of mobile food units are being applied consistently between
jurisdictions and, if not, how to streamline such rules and regulations to
better promote business success. The study shall include, but not be limited to:
(1) Identifying the jurisdictions responsible for regulating mobile food
units in Nebraska;
(2) Reviewing the state and local rules and regulations applicable to these
jurisdictions;
(3) Determining whether such rules and regulations are being applied
consistently between jurisdictions;
(4) Assessing the business uncertainty that results from an inconsistent
application of rules and regulations between jurisdictions; and
(5) Developing proposed revisions to the Nebraska Pure Food Act and any
rules and regulations adopted and promulgated under the act or any other
laws in order to create certainty and promote business success for mobile
food units.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE
ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND
SESSION:
1. That the Agriculture Committee of the Legislature shall be designated
to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.


WHEREAS, the Concordia University Bulldogs men's basketball team won the 2021-2022 Great Plains Athletic Conference Postseason Tournament; and
WHEREAS, the Bulldogs earned the No. 2 seed for the tournament after splitting the regular season title with Briar Cliff University; and
WHEREAS, the Bulldogs captured the tournament title by defeating the University of Jamestown in the championship game by a score of 77-70; and
WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the amazing students of Concordia University.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature congratulates Concordia University's men's basketball team for their outstanding season and for winning the 2021-2022 Great Plains Athletic Conference Postseason Tournament.
2. That a copy of this resolution be sent to the Concordia University men's basketball team and Head Coach Ben Limback.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Albrecht filed the following amendment to LB933:
AM2283
1. On page 3, line 19, strike "act" and insert "Nebraska Human Life Protection Act".

Senator M. Cavanaugh filed the following amendment to LB59:
FA87
Page 2, line 16 strike "shall" and replace with "may"

Senator M. Cavanaugh filed the following amendment to LB75:
FA88
Page 4, line 8 strike "shall not" and replace with "may"

Senator M. Cavanaugh filed the following amendment to LB705:
FA89
Page 2, line 3 strike "no person shall" and replace with "people shall not"

Senator M. Cavanaugh filed the following amendment to LB1148:
FA90
Page 2, line 10 strike "shall" and replace with "may"

Senator M. Cavanaugh filed the following amendment to LB971:

FA91
Page 2, line 4 insert "Nebraska" before "brain"

Senator M. Cavanaugh filed the following amendment to LB691:

FA92
Page 3, line 5 strike "relationship"

Senator M. Cavanaugh filed the following amendment to LB1178:

FA93
Page 2, line 14 strike "shall and replace with "may"

Senator Morfeld filed the following amendment to LB852:

AM2272
1. Insert the following sections:
2 Sec. 2. (1) The State Department of Education shall establish a
3 mental health first aid training program for teachers and other personnel
4 employed by a school district or an educational service unit
5 participating in a grant under subsection (2) of section 79-1054.
6 (2) The mental health first aid training is to be delivered by
7 trainers who are properly certified by a national organization for
8 behavioral health to provide training meeting the requirements of this
9 section. The program shall also provide an opportunity for teachers and
10 other designated personnel to complete the training necessary to become
11 certified by a national organization for behavioral health to provide
12 mental health first aid training to other teachers and designated
13 personnel.
14 (3) Mental health first aid training shall include training on:
15 (a) The skills, resources, and knowledge necessary to assist
16 students in crisis to connect with appropriate local mental health care
17 services;
18 (b) Mental health resources, including the location of local
19 community mental health centers; and
20 (c) Action plans and protocols for referral to such resources.
21 (4) A recipient of mental health first aid training shall also
22 receive instruction in preparation to:
23 (a) Safely de-escalate crisis situations;
24 (b) Recognize the signs and symptoms of mental illness, including
25 such psychiatric conditions as major clinical depression and anxiety
26 disorders; and
27 (c) Timely refer a student to mental health services in the early
28 stages of the development of a mental disorder to avoid subsequent
29 behavioral health care and to enhance the effectiveness of mental health
30 services. Except as provided in section 43-2101, any such referral shall
31 be approved by the student's parent or guardian;
32 (5) It is the intent of the Legislature that the mental health first
33 aid training program under this section shall be funded using lottery
34 funds under section 9-812.
35 Sec. 3. Section 79-1054, Revised Statutes Cumulative Supplement,
36 2020, is amended to read:
37 79-1054 (1)(a) This subsection applies until July 1, 2024,
38 (b) The State Board of Education shall establish a competitive
39 innovation grant program with funding from the Nebraska Education
40 Improvement Fund pursuant to section 9-812. Grantees shall be a school
14 district, an educational service unit, or a combination of entities that
15 includes at least one school district or educational service unit. For
16 grantees that consist of a combination of entities, a participating
17 school district or educational service unit shall be designated to act as
18 the fiscal agent and administer the program funded by the grant. The
19 state board shall only award grants pursuant to applications that the
20 state board deems to be sufficiently innovative and to have a high chance
21 of success.
22 (c) (2) An application for a grant pursuant to this subsection shall describe:
23 (i) Specific measurable objectives for improving education
24 outcomes for early childhood students, elementary students, middle school
25 students, or high school students or for improving the transitions
26 between any successive stages of education or between education and the
27 workforce;
28 (ii) The method for annually evaluating progress toward a
29 measurable objective, with a summative evaluation of progress submitted
30 to the state board and electronically to the Education Committee of the
31 Legislature on or before July 1, 2019;
32 (iii) (A) A model for a state-supported program; or
33 (B) An innovation grant pursuant to this subsection shall describe:
34 (i) Specific measurable objectives for improving education outcomes
35 for early childhood students, elementary students, middle school
36 students, or high school students or for improving the transitions
37 between any successive stages of education or between education and the
38 workforce;
39 (ii) Participation in a method for annually evaluating progress
40 toward a measurable objective, with a summative evaluation of progress
41 submitted to the state board and electronically to the Education
42 Committee of the Legislature on or before July 1 of each year.
43 (iv) Any cost savings that could be achieved by reductions in
44 other programs if the funded program is successful.
(iv) Any cost savings that could be achieved by reductions in other programs if the grant program is successful.

(d) Based on evaluations received on or before July 1 of each year for each grant program, the State Board of Education shall recommend the grant program as:

(i) Representing a best practice;

(ii) A model for a state-supported program; or

(iii) A local issue for further study.

(e) On or before December 1 of each year, the state board shall electronically submit a report to the Clerk of the Legislature on all such grant programs, including, but not limited to, the results of the evaluations for each grant program. The state board may adopt and promulgate rules and regulations to carry out this subsection, including, but not limited to, application procedures, selection procedures, and annual evaluation reporting procedures.

(f) The Department of Education Innovative Grant Fund is created. The fund shall be administered by the State Department of Education and shall consist of transfers pursuant to section 9-812, repayments of grant funds, and interest payments received in the course of administering this section. The fund shall be used to carry out this section. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

4 Sec. 4. Section 2 of this act becomes operative on July 1, 2024. The other sections of this act become operative on their effective date.


Senator Bostelman filed the following amendment to LB888:

AM2201

(Amendments to AM1995)

1 1. On page 1, line 14, after "genocide" insert "as recognized by the 2 Congress of the United States or the United Nations as of January 1, 3 2023?".

Senator M. Cavanaugh filed the following amendment to LB697:

FA94

Page 2, line 11 strike "facility"

Senator M. Cavanaugh filed the following amendment to LB824:

FA95

Page 3, line 3 after "judgment" insert "or medical training"

Senator M. Cavanaugh filed the following amendment to LB795:

FA96

Page 3, line 1 strike "thousand" and replace with "million"

Senator M. Cavanaugh filed the following amendment to LB1147:

FA97

Page 2, line 10 strike "means" and replace with "is defined as"

Senator Williams filed the following amendment to LB1069:

AM1867

1 1. On page 4, strike beginning with "Grants" in line 9 through 2 "application" in line 11, show the old matter as stricken, and insert "An 3 applicant shall provide matching funds of at least one-half of the amount
4 of workforce housing grant funds awarded.
5 2. On page 5, line 28, strike "(4) If", show as stricken, and insert
6 "(4)(a) Before July 1, 2027, if"
7 3. On page 6, after line 1 insert the following new subdivision:
8 "(b) On and after July 1, 2027, if a nonprofit development
9 organization fails to engage in the initial qualified activity within
10 twenty-four months after receiving initial grant funding, the nonprofit
11 development organization shall return the grant funds to the department.
12 for transfer to the General Fund."); and in line 10, strike "Affordable
13 Housing Trust", show as stricken, and insert "General"
14 4. On page 7, line 6, strike "credit to the Affordable Housing
15 Trust", show as stricken, and insert "transfer to the General"

Senator M. Cavanaugh filed the following amendment to LB807:  
FA98 Page 2, line 12 strike "shall" and replace with "may"

Senator M. Cavanaugh filed the following amendment to LB779:  
FA99 Page 2, line 13 strike "shall" and insert "may"

Senator M. Cavanaugh filed the following amendment to LB808:  
FA100 Page 2, line 9 strike "Any" and insert "All"

Senator M. Cavanaugh filed the following amendment to LB1092:  
FA101 Page 2, line 2 strike "may" and replace with "shall"

Senator M. Cavanaugh filed the following amendment to LB1204:  
FA102 Amend AM1894 Page 3, line 17 strike "shall" and replace with "may"

Senator M. Cavanaugh filed the following amendment to LB1184:  
FA103 Amend AM1962: Page 1, line 7 strike "and" and insert "for"

Senator M. Cavanaugh filed the following amendment to LB1165:  
FA104 Page 5, line 14 strike "shall" and insert "may"

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Wayne name added to LB704.
Senator Wayne name added to LB705.
Senator Wayne name added to LB1037.
RECESS

At 11:58 a.m., on a motion by Senator Clements, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Arch presiding.

ROLL CALL

The roll was called and all members were present except Senators Bostar, Briese, M. Cavanaugh, Day, Geist, Halloran, Linehan, Pansing Brooks, Slama, Stinner, Walz, and Wishart who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 773. Senator Brewer, AM1757, found on page 509, and considered in this day's Journal, was reoffered.

Senator J. Cavanaugh, AM1794, found on page 518, and considered in this day's Journal, was reoffered.

Senator Halloran moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 34 ayes, 0 nays, and 15 not voting.

Senator Morfeld moved for a call of the house. The motion prevailed with 33 ayes, 8 nays, and 8 not voting.

Senator J. Cavanaugh requested a roll call vote, in reverse order, on his amendment.

Voting in the affirmative, 14:

Blood               DeBoer   Lathrop    Morfeld   Wayne
Cavanaugh, J.       Hansen, M. McCollister Pansing Brooks Wishart
Cavanaugh, M.       Hunt     McKinney   Vargas

Voting in the negative, 30:

Aguilar            Briese   Geist      Jacobson   Moser
Albrecht           Clements Halloran  Kollerman  Murman
Arch               Dorn     Hansen, B. Lindstrom Sanders
Bostelman          Erdman   Hilgers    Linehan   Slama
Brandt             Flood    Hilkemann Lowe       Stinner
Brewer             Friesen  Hughes    McDonnell Williams

Present and not voting, 3:
Excused and not voting, 2:

Bostar Day

The J. Cavanaugh amendment lost with 14 ayes, 30 nays, 3 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Morfeld asked unanimous consent to withdraw his amendment, AM1908, found on page 706, and replace it with his substitute amendment, AM2297. No objections. So ordered.

AM2297 (Amendments to AM1757)
1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 (3) The expense of issuing, renewing, and administering permits
4 shall be paid from the budget of the Nebraska Commission on Law
5 Enforcement and Criminal Justice.
6 (4) The applicant shall submit the fee with the application to the
7 Nebraska State Patrol. The fee shall be remitted to the State Treasurer
8 for credit to the Nebraska State Patrol Cash Fund.
9 Sec. 2. Original section 69-2436, Revised Statutes Supplement, 2021, is repealed.

SENATOR HUGHES PRESIDING

Pending.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 717. Placed on Final Reading.
ST48
The following changes, required to be reported for publication in the Journal, have been made:
1. On page 1, line 2, "section" has been struck and "sections 81-8.316 and" inserted and "to redefine a term;" has been inserted after the semicolon; and in line 4 "section" has been struck and "sections" inserted.

**LEGISLATIVE BILL 780.** Placed on Final Reading.

ST49

The following changes, required to be reported for publication in the Journal, have been made:

1. In the E & R amendments, ER123, on page 1, line 2, "14-1810," has been inserted after "sections"; and in line 3 , and section 18-819, Revised Statutes Cumulative Supplement, 2020; to provide for applicability of the Nebraska Workers' Compensation Act and the Employment Security Law to transit authorities' has been inserted after "Nebraska".

2. On page 5, line 3, "14-1810," has been inserted after "sections"; and in line 4 "and section 18-819, Revised Statutes Cumulative Supplement, 2020," has been inserted after the comma.

**LEGISLATIVE BILL 848.** Placed on Final Reading.

**LEGISLATIVE BILL 925.** Placed on Final Reading.

**LEGISLATIVE BILL 925A.** Placed on Final Reading.

**LEGISLATIVE BILL 964.** Placed on Final Reading.

ST46

The following changes, required to be reported for publication in the Journal, have been made:

1. The following changes, required to be reported for publication in the Journal, have been made:

2. On page 4, line 15, "section 81-1373, Reissue Revised Statutes of Nebraska, and section 81-1174, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to reimbursement for expenses as prescribed; to authorize collective bargaining on an administrative unit-wide basis as prescribed; and to repeal the original sections." inserted.

3. On page 5, line 3, "14-1810," has been inserted after "sections"; and in line 4 "and section 18-819, Revised Statutes Cumulative Supplement, 2020," has been inserted after the comma.

**LEGISLATIVE BILL 1037.** Placed on Final Reading.

**LEGISLATIVE BILL 1173.** Placed on Final Reading.

ST50

The following changes, required to be reported for publication in the Journal, have been made:

1. In the E&R amendments, ER117:

2. On page 22, line 10, "43-907," has been inserted after "sections".

**LEGISLATIVE BILL 1236.** Placed on Final Reading.

ST51

The following changes, required to be reported for publication in the Journal, have been made:

1. In the Standing Committee amendments, AM1986, on page 2, line 25, "Nebraska Liquor Control Commission" has been struck and "commission" inserted.

(Signed) Terrell McKinney, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Erdman filed the following amendment to LB750:

AM2294

(Amendments to Standing Committee amendments, AM1966)

1 1. Insert the following new section:

2 Sec. 5. Section 60-142.11, Reissue Revised Statutes of Nebraska, is
amended to read:
4 60-142.11 The owner of an assembled vehicle may apply for a
certificate of title by presenting a certificate of title for one major
component part, a notarized bill of sale for all other major component
parts replaced, a statement that an inspection has been conducted on the
vehicle, and a vehicle identification number as described in section
9 60-148. The certificate of title shall indicate the year of the vehicle
10 as the year application for title was made and the make of the vehicle as
11 assembled.
12 2. Renumber the remaining sections and correct the repealer and
13 internal references accordingly.

Senator Geist filed the following amendment to LB876:
AM2282
(Amendments to Standing Committee amendments, AM2188)
1 1. Insert the following new section:
2 Sec. 22. Section 9-1204, Revised Statutes Supplement, 2021, is
3 amended to read:
4 9-1204 (1) Of the tax imposed by section 9-1203, seventy-five
5 percent shall be remitted to the State Treasurer for credit as follows:
6 Two and one-half percent to the Compulsive Gamblers Assistance Fund, two
7 and one-half percent to the General Fund, and seventy percent to the
8 Property Tax Credit Cash Fund. The remaining twenty-five percent of the
9 tax shall be remitted to the county treasurer of the county in which the
10 licensed racetrack enclosure is located to be distributed as provided in
11 subsection (2) of this section.
12 (2)(a) The county treasurer shall distribute ten percent of the
13 amount remitted to such county treasurer pursuant to subsection (1) of
14 this section to the county agricultural society in the county in which
15 the licensed racetrack enclosure is located if such county agricultural
16 society has been formed in the county under the County Agricultural
17 Society Act, except that funds distributed to the county agricultural
18 society under this subsection shall not exceed an amount equal to ten
19 dollars per capita for the county based on the population established by
20 the later of the most recent federal decennial census or the most recent
21 American Community Survey 5-Year Estimate by the United States Bureau of
22 the Census, with the per-capita dollar amount adjusted annually by the
23 county treasurer using the Producer Price Index by Commodity; Final
24 Demand; Finished Goods, published by the United States Department of
25 Labor, Bureau of Labor Statistics, at the beginning of each county
26 agricultural society fiscal year.
27 (b) Following any distribution to a county agricultural society
28 pursuant to subdivision (2)(a) of this section, the county treasurer
29 shall distribute the remaining funds as follows: (1) (4) If the licensed
30 racetrack enclosure is located completely within an unincorporated area
31 of a county, the remaining amount of the twenty-five percent shall be
32 distributed to the county in which such licensed racetrack enclosure is
33 located; or (ii) (2) if the licensed racetrack enclosure is located at
34 least partially within the limits of a city or village in such county,
35 one-half of the remaining amount of the twenty-five percent shall be
36 distributed to such county and one-half of the remaining amount of the
37 twenty-five percent to the city or village in which such licensed
38 racetrack enclosure is at least partially located.
39 (3) Any funds distributed pursuant to subdivision (2)(a) of this
40 section shall be used for the purpose of (a) capital construction on and
41 renovation, repair, improvement, and maintenance of improvements and real
42 property comprising the county fairgrounds or (b) the purchase of
43 equipment.
44 (4) Any county agricultural society which receives a distribution
45 under this section shall publish a summary of expenditures made with such
distribution each fiscal year on the county agricultural society's website or in a newspaper of general circulation within such county. The summary shall be published within six months after the end of the county agricultural society's fiscal year.

2. Renumber the remaining sections and correct the repealer accordingly.

MOTION(S) - Print in Journal

Senator Wayne filed the following motion to LB1013:

MO152
Indefinitely postpone pursuant to Rule 6, Section 3(f).

Senator Wayne filed the following motion to LB1014:

MO153
Indefinitely postpone pursuant to Rule 6, Section 3(f).

GENERAL FILE

LEGISLATIVE BILL 773. Senator Morfeld amendment, AM2297, found and considered in this day's Journal, was renewed.

Pending.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Wayne name added to LB795.
Senator Wayne name added to LB1092.

VISITOR(S)

Visitors to the Chamber were Nebraska Civic Leaders from Omaha Public Schools; Oleh Leonchuk, exchange student, Ukraine, and sponsor Yvonne Zegers; twelve store and regional directors for Hy-Vee; fifth-grade students from Norfolk Middle School.

The Doctor of the Day was Dr. Brett Copley of Syracuse.

ADJOURNMENT

At 5:02 p.m., on a motion by Senator Briese, the Legislature adjourned until 9:00 a.m., Friday, March 11, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
FORTIETH DAY - MARCH 11, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

FORTIETH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, March 11, 2022

PRAYER

The prayer was offered by Father Ryan Lewis, St. Elizabeth Ann Seton Catholic Church, Omaha.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Albrecht.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Flood presiding.

The roll was called and all members were present except Senators Bostar, Day, DeBoer, B. Hansen, Hunt, McCollister, Slama, Walz, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-ninth day was approved.

REPORTS

Agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of March 10, 2022, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature
COMMITTEE REPORT(S)
Executive Board

LEGISLATIVE BILL 686. Placed on General File.

LEGISLATIVE BILL 777. Placed on General File with amendment.

AM2131
1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. (1) The Legislative Council, through the Executive Board
4 of the Legislative Council, shall develop and maintain a publicly
5 accessible, digital Internet archive of closed captioned video coverage
6 of the Legislature, including all floor debate and public committee
7 hearings indexed by legislative bill or resolution number or by date,
8 beginning with the coverage of the One Hundred Eighth Legislature, Second
9 Session, in January 2024 or as soon as live, closed captioned video
10 coverage of the Legislature is available for use, whichever is sooner, as
11 provided in section 79-1316.
12 (2) All applicable historical video coverage of the Legislature
13 shall be collected and added to the digital archive as available.
14 Applicable historical video coverage shall only consist of video coverage
15 of the Legislature captured by the Nebraska Educational
16 Telecommunications Commission and closed captioned prior to January 1,
17 2024.
18 (3) Such archive is intended solely for educational and
19 informational purposes and to enhance access for the public in keeping
20 with the Legislature's commitment to transparency in state government.
21 (4) To the extent that funds from the federal American Rescue Plan
22 Act of 2021, Public Law 117-2, Subtitle M, Sec. 9001, are available for
23 use by the Executive Board of the Legislative Council in the development
24 and maintenance of the digital archive of video coverage of the
25 Legislature, such funding shall be requested and utilized by the
26 executive board for such purposes.
27 Sec. 2. Section 50-114, Reissue Revised Statutes of Nebraska, is
1 amended to read:
2 50-114 (1) It shall be the duty of the Clerk of the Legislature to
3 attend the sessions of the Legislature, to call the roll, read the
4 journals, bills, memorials, resolutions, petitions, and all other papers
5 or documents necessary to be read in the Legislature, to keep a correct
6 journal of the proceedings in the Legislature, and to do and perform such
7 other duties as may be imposed upon the clerk by the Legislature or
8 by the Executive Board of the Legislative Council.
9 (2) The records of all floor debate and committee hearings as
10 prepared and permanently maintained by the Clerk of the Legislature are
11 the official records of the Legislature.
12 (3) Any government website offering access to audio and video
13 recordings of the proceedings of the Legislature or of a committee or
14 division of the Legislature shall require notification to any website
15 user, using appropriate technology, that such recordings shall not be
16 used for political or commercial purposes.
17 Sec. 3. Section 50-402, Reissue Revised Statutes of Nebraska, is
18 amended to read:
19 50-402 The Legislative Council shall occupy and maintain offices in
20 the State Capitol.
21 It shall be the duty of the council:
22 (1) To collect information concerning the government and general
23 welfare of the state;
24 (2) To examine the effects of previously enacted statutes and
25 recommend amendments thereto;
26 (3) To deal with important issues of public policy and questions of
27 statewide interest;
28 (4) To prepare a legislative program in the form of bills or
29 otherwise as in its opinion the welfare of the state may require, to be
30 presented at the next session of the Legislature;
31 (5) To study federal aid to the state and its political subdivisions
1 and advise the Legislature of money, land, or buildings available from
2 the federal government, matching funds necessary, grants and aids, and
3 what new legislation will be needed;
4 (6) To establish and maintain a complete and efficient bill drafting
5 service for the purpose of aiding and assisting members of the
6 Legislature and the executive departments of the state in the preparation
7 of bills, resolutions, and measures and in drafting the same in proper
8 form, and for this purpose there shall be assigned to the council for
9 such work, rooms in the State Capitol conveniently situated in reference
10 to the legislative chamber;
11 (7) To provide, through the Revisor of Statutes, for the publication
12 of supplements and replacement volumes of the statutes of Nebraska; and
13 (8) To provide, through the Executive Board of the Legislative
14 Council, for the development and maintenance of a publicly accessible
15 indexed digital Internet archive of closed captioned video coverage of
16 the Legislature as provided in section 1 of this act; and
17 Sec. 4. Section 79-1312, Reissue Revised Statutes of Nebraska, is
18 amended to read:
19 79-1312 Sections 79-1312 to 79-1322 and sections 7 and 8 of this act
20 shall be known and may be cited as the Nebraska Educational
21 Telecommunications Act.
22 Sec. 5. Section 79-1313, Reissue Revised Statutes of Nebraska, is
23 amended to read:
24 79-1313 The Nebraska Educational Telecommunications Act creates the
25 Nebraska Educational Telecommunications Commission for the purpose of (1)
26 promoting and establishing noncommercial educational telecommunications
27 facilities within the State of Nebraska, (2) providing noncommercial
28 educational telecommunications programs throughout the State of Nebraska
29 by digital broadcast, by closed-circuit transmission, by Internet-based
30 delivery, or by other telecommunications technology distribution systems,
31 and (3) operating statewide educational and public radio and television
32 networks, facilities, and services, and (4) providing closed captioned
33 live video coverage of the Legislature as provided in section 79-1316.
34 The commission shall seek funding from federal, state, foundation, and
35 private sources for capital construction and annual operations.
10 Sec. 6. Section 79-1316, Reissue Revised Statutes of Nebraska, is
11 amended to read:
12 79-1316 The powers and duties of the Nebraska Educational
13 Telecommunications Commission are:
14 (1) To promote and sponsor a noncommercial educational television
15 network to serve a series of interconnecting units throughout the State
16 of Nebraska;
17 (2) To promote and support locally operated or state-operated
18 noncommercial educational radio stations with satellite receiving
19 capabilities and improved transmitter coverage;
20 (3) To apply for and to receive and hold such authorizations,
21 licenses, and assignments of channels from the Federal Communications
22 Commission as may be necessary to conduct such educational
23 telecommunications programs by standard radio and television broadcast or
24 by other telecommunications technology broadcast systems and to prepare,
25 file, and prosecute before the Federal Communications Commission all
26 applications, reports, or other documents or requests for authorization
27 of any kind necessary or appropriate to achieve the purposes set forth in
28 the Nebraska Educational Telecommunications Act;
29 (4) To receive gifts and contributions from public and private
30 sources to be expended in providing educational telecommunications
31 facilities and programs;
1 (5) To acquire real estate and other property as an agency of the
2 State of Nebraska and to hold and use the same for educational
3 telecommunications purposes;
4 (6) To contract for the construction, repair, maintenance, and
5 operation of telecommunications facilities;
6 (7) To contract with common carriers, qualified under the laws of
7 the State of Nebraska, to provide interconnecting channels or satellite
8 facilities in support of radio, television, and other telecommunications
9 technology services unless it is first determined by the Nebraska
10 Educational Telecommunications Commission that state-owned
11 interconnecting channels can be constructed and operated that would
12 furnish a comparable quality of service at a cost to the state that would
13 be less than if such channels were provided by qualified common carriers;
14 (8) To provide for programming for the visually impaired, other
15 handicapped persons, and the deaf and hard of hearing as authorized
16 by the Federal Communications Commission under subsidiary communications
17 authority rules, through contracts with appropriate nonprofit
18 corporations or organizations which have been created for such purpose;
19 (9) To arrange for the operation of statewide educational
20 telecommunications networks, as directed by the Nebraska Educational
21 Telecommunications Commission, consistent with the provisions of the
22 federal Communications Act of 1934, as amended, and applicable rules and
23 regulations, with policies of the Federal Communications Commission, in
24 cooperation with the State Board of Education insofar as elementary and
25 secondary education programs are concerned, and in cooperation with the
26 Coordinating Commission for Postsecondary Education insofar as
27 postsecondary education programs are concerned;
28 (10) After taking into consideration the needs of the entire state,
29 to establish and maintain general policies relating to the nature and
30 character of educational telecommunications broadcasts or transmissions;
31 (11) To review, or cause to be reviewed by a person designated by
1 the commission, all programs presented on the network prior to broadcast
2 or transmission to insure that the programs are suitable for viewing and
3 listening. Such suitability shall be determined by evaluating the content
4 of the program, and screening the programs if necessary, as to their
5 educational value and whether they enhance the cultural appreciation of
6 the viewer and listener and do not appeal to his or her prurient
7 interest. When it is obvious from an examination of the descriptive
8 program materials that a program is suitable for presenting on the
9 network, no further review shall be required;
10 (12) To cooperate with federal or state agencies for the purpose of
11 obtaining matching federal or state funds and providing educational
12 telecommunications facilities of all types throughout the state and to
13 make such reports as may be required of recipients of matching funds;
14 (13) To arrange for and provide digital radio and television
15 broadcast and other telecommunications technology transmissions of
16 noncommercial educational telecommunications programs to Nebraska
17 citizens and institutions, but no tax funds shall be used for program
18 advertising which may only be financed out of funds received from
19 foundations or individual gifts;
20 (14) To coordinate with Nebraska agencies that deal with
21 telecommunications activities and are supported in whole or in part by
22 public funds;
23 (15) To adopt bylaws for the conduct of its affairs;
24 (16) To make certain that the facilities are not used for any
25 purpose which is contrary to the United States Constitution or the
26 Constitution of Nebraska or for broadcasting propaganda or attempting to
27 influence legislation;
28 (17) To publish such informational material as it deems necessary
29 and it may, at its discretion, charge appropriate fees therefor. The
30 proceeds of all such fees shall be remitted to the State Treasurer for
31 credit to the State Educational Telecommunications Fund and shall be used
32 by the commission solely for publishing such informational material. The
33 commission shall provide to newspapers, radio stations, and other news
34 media program schedules informing the public of programs approved by the
35 commission;
36 (18) To maintain a digital archive of programs and educational
37 content containing stories, events, individuals, and performances which
38 are significant or prominent in Nebraska history; and
39 (19) To provide live, closed captioned video coverage of the
40 Legislature, including all floor debate and public committee hearings,
41 beginning with coverage of the One Hundred Eighth Legislature, Second
42 Session, in January 2024 or as soon as the commission has closed
43 captioning capabilities, whichever is sooner.
44 (34) Nothing in the Nebraska Educational Telecommunications Act
45 shall be construed to require the Nebraska Educational Telecommunications
46 Commission to post or distribute any work in a manner that would
47 constitute a violation of federal copyright law.
48 Sec. 8. To the extent that funds from the federal American Rescue
49 Plan Act of 2021, Public Law 117-2, Subtitle M, Sec. 9901, are available
50 for use by the Nebraska Educational Telecommunications Commission in the
51 development and maintenance of live closed captioned video coverage of
52 the Legislature, such funding shall be requested and utilized by the
53 commission for such purposes.
54 Sec. 9. The Revisor of Statutes shall assign section 1 of this act
55 to Chapter 50.
56 Sec. 10. Original sections 50-114, 50-402, 79-1312, 79-1313, and
57 79-1316, Reissue Revised Statutes of Nebraska, are repealed.

LEGISLATIVE RESOLUTION 18CA. Placed on General File with
amendment.

AM2216
1. Strike the original sections and insert the following new
2 sections:
3 Section 1. At the general election in November 2022, the following
4 proposed amendment to the Constitution of Nebraska shall be submitted to
5 the electors of the State of Nebraska for approval or rejection:
6 To amend Article III, section 12:
7 III-12 (1) No person shall be eligible to serve as a member of the
8 Legislature for four years next after the expiration of three years
9 consecutive terms regardless of the district represented.
(2) For a person serving as a member of the Legislature as of January 1, 2022, if, as of such date:
12 (a) Such person is serving a second consecutive term, the changes made to subsection (1) of this section by Laws 2022, LR18CA, shall not apply until four years next after the expiration of such term;
15 (b) Such person is not serving a second consecutive term and is not reelected to a second consecutive term, the changes made to subsection (1) of this section by Laws 2022, LR18CA, shall not apply until four years next after the expiration of the term such person is serving as of January 1, 2022; and
19 (c) Such person is not serving a second consecutive term and is reelected to a second consecutive term, the changes made to subsection (1) of this section by Laws 2022, LR18CA, shall not apply until four years next after the expiration of such second consecutive term.

(3) For the purpose of this section, service in office for more than one-half of a term shall be deemed service for a term.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to change the limit on legislative terms from two consecutive terms to three consecutive terms.

For
8 Against.

(Signed) Dan Hughes, Chairperson

GENERAL FILE

LEGISLATIVE BILL 773. Considered.

Senator Morfeld, AM2297, found on page 802 and considered on pages 802 and 805, was withdrawn.

Senator Brewer, AM1757, found on page 509 and considered on pages 792 and 802, was renewed.

Senator M. Cavanaugh, AM1907, found on page 706, was offered.

SENTATOR WILLIAMS PRESIDING

Pending.

COMMITTEE REPORT(S)

Appropriations

LEGISLATIVE BILL 1012. Placed on General File with amendment. AM2000 is available in the Bill Room.

LEGISLATIVE BILL 1011. Placed on General File with amendment. AM1999 is available in the Bill Room.
LEGISLATIVE BILL 1013. Placed on General File with amendment.

AM2001
1. Strike the original sections and insert the following new sections:
2 Section 1. Section 84-612, Revised Statutes Supplement, 2021, is amended to read:
3 There is hereby created within the state treasury a fund
4 known as the Cash Reserve Fund which shall be under the direction of the
5 State Treasurer. The fund shall only be used pursuant to this section.
6 (2) The State Treasurer shall transfer funds from the Cash Reserve
7 Fund to the General Fund upon certification by the Director of
8 Administrative Services that the current cash balance in the General Fund
9 is inadequate to meet current obligations. Such certification shall
10 include the dollar amount to be transferred. Any transfers made pursuant
11 to this subsection shall be reversed upon notification by the Director of
12 Administrative Services that sufficient funds are available.
13 (3) In addition to receiving transfers from other funds, the Cash
14 Reserve Fund shall receive federal funds received by the State
15 Nebraska for undesignated general government purposes, federal revenue
16 sharing, or general fiscal relief of the state.
17 (4) The State Treasurer shall transfer fifty-four million seven
18 hundred thousand dollars on or after July 1, 2019, but before June 15,
19 2021, from the Cash Reserve Fund to the Nebraska Capital Construction
20 Fund on such dates and in such amounts as directed by the budget
21 administrator of the budget division of the Department of Administrative
22 Services.
23 (5) The State Treasurer shall transfer two hundred fifteen million
24 five hundred eighty thousand dollars from the Cash Reserve Fund to the
25 Nebraska Capital Construction Fund on or after July 1, 2022, but before
26 June 15, 2023, on such dates and in such amounts as directed by the
27 budget administrator of the budget division of the Department of
28 Administrative Services.
29 (6) The State Treasurer shall transfer fifty-three million five
30 hundred thousand dollars from the Cash Reserve Fund to the Perkins County
31 Canal Project Fund on or before June 30, 2023, on such dates and in such
32 amounts as directed by the budget administrator of the budget division of
33 the Department of Administrative Services.
34 (7) No transfer shall occur from the Cash Reserve Fund to the General Fund after November 15, 2020,
35 but before December 31, 2020, on such date as directed by the budget
36 administrator of the budget division of the Department of Administrative
37 Services. Except for the transfer authorized in this subsection, no funds
38 shall be transferred from the Cash Reserve Fund to fulfill the
39 obligations created under the Nebraska Property Tax Incentive Act unless
40 the balance in the Cash Reserve Fund after such transfer will be at least
41 equal to five hundred million dollars.
42 (8) The State Treasurer shall transfer thirty-one million
43 dollars from the Cash Reserve Fund to the Military Base Development and
44 Support United States Space Command Headquarters Assistance Fund on or
45 before June 30, 2023, but not before July 1, 2022, on such dates and in
46 such amounts as directed by the budget administrator of the budget
47 division of the Department of Administrative Services. The transfer in
48 this subsection shall not occur unless the State of Nebraska is selected
49 as the site of the United States Space Command headquarters.
50 (9) The State Treasurer shall transfer eight million three hundred
51 thousand dollars from the Cash Reserve Fund to the Trail Development and
52 Maintenance Fund on or after July 1, 2022, but before July 30, 2022, on
53 such dates and in such amounts as directed by the budget administrator of
54 the budget division of the Department of Administrative Services.
55 (10) The State Treasurer shall transfer fifty million dollars from
the Cash Reserve Fund to the Nebraska Rural Projects Fund on or after July 1, 2022, but before July 15, 2023, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

(11) The State Treasurer shall transfer thirty million dollars from the Cash Reserve Fund to the Rural Workforce Housing Investment Fund on or after July 1, 2022, but before July 15, 2023, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

(12) The State Treasurer shall transfer twenty million dollars from the Cash Reserve Fund to the Intern Nebraska Cash Fund on or after July 1, 2022, but before June 15, 2023, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

(13) The State Treasurer shall transfer twenty million dollars from the Cash Reserve Fund to the Middle Income Workforce Housing Investment Fund on July 15, 2022, or as soon thereafter as administratively possible, and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

(14) The State Treasurer shall transfer eighty million dollars from the Cash Reserve Fund to the Jobs and Economic Development Initiative Fund on or after July 1, 2022, but before July 15, 2023, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

(15) The State Treasurer shall transfer twenty million dollars from the Cash Reserve Fund to the Site and Building Development Fund on July 15, 2022, or as soon thereafter as administratively possible, and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

(16) The State Treasurer shall transfer fifty million dollars from the Cash Reserve Fund to the Surface Water Irrigation Infrastructure Fund on or after July 15, 2022, but before January 1, 2023, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

Sec. 2. Original section 84-612, Revised Statutes Supplement, 2021, is repealed.

Sec. 3. Since an emergency exists, this act takes effect when passed and approved according to law.

(Signed) John Stinner, Chairperson

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 697A. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 697, One Hundred Seventh Legislature, Second Session, 2022.
AMENDMENT(S) - Print in Journal

Senator Bostelman filed the following amendment to LB1045:

AM2263

(Amendments to Standing Committee amendments, AM2081)

1 1. On page 5, strike lines 1 through 8 and insert the following new
2 subdivision:
3 “(6) Reliable or reliability means the ability of an electric
4 supplier to supply the aggregate electric power and energy requirements
5 of its electricity consumers in Nebraska at all times under normal
6 operating conditions, taking into account scheduled and unscheduled
7 outages, including sudden disturbances or unanticipated loss of system
8 components that are to be reasonably expected for any electric utility
9 following prudent utility practices.”

Senator Linehan filed the following amendment to LB1218:

AM2284

(Amendments to Standing Committee amendments, AM2213)

1 1. Strike sections 1 to 8 and insert the following new sections:
2 Section 1. Sections 1 to 8 of this act shall be known and may be
3 cited as the Teach in Nebraska Today Act.
4 Sec. 2. For purposes of the Teach in Nebraska Today Act:
5 (1) Default has the same meaning as in 20 U.S.C. 1085, as such
6 section existed on January 1, 2022;
7 (2) Department means the State Department of Education;
8 (3) Program means the Teach in Nebraska Today Program created in
9 section 3 of this act;
10 (4) Teacher aid means and includes:
11 (a) Student loan repayment assistance provided pursuant to
12 subsection (2) of section 6 of this act; and
13 (b) Stipends provided pursuant to subsection (3) of section 6 of
14 this act; and
15 (5) Teaching full-time means (a) teaching an average of at least
16 four hours per contract day performing instructional duties as a full-
17 time employee of an approved or accredited public, private,
18 denominational, or parochial school in this state or (b) teaching an
19 average of at least four hours per contract day performing dual-credit
20 instructional duties for students of approved or accredited public,
21 private, denominational, or parochial schools in this state while
22 employed full-time at an accredited public or private nonprofit college
23 or university in this state;
24 Sec. 3. The Teach in Nebraska Today Program is created. The
25 department shall administer the program. The purpose of the program is to
26 attract individuals to the teaching profession who have expressed an
1 interest in teaching and to support the employment of those individuals
2 as classroom teachers by providing teacher aid for service as a classroom
3 teacher in this state.
4 Sec. 4. (1) Teacher aid under the program shall be available to an
5 individual who applies for the aid and who:
6 (a) Is a resident of the State of Nebraska; and
7 (b) Is teaching full-time or has a contract to teach full-time at
8 the time of application for the program,
9 (2) The amount of teacher aid awarded to an eligible applicant
10 pursuant to this section shall be limited to five thousand dollars per
11 year. An eligible applicant may be awarded teacher aid for up to five
12 years. The five years of awards are not required to be consecutive but
13 shall not extend beyond eight years in total.
14 (3) If the funds available for teacher aid in any year are
15 insufficient to provide aid to all eligible applicants described in
subsection (1) of this section, the department shall establish priorities
for awarding teacher aid with renewal applications given priority over
initial applications. For initial applications, priority shall be given
as follows:
(a) First priority shall be given to applicants who (i) have no more
than one year of full-time teaching experience and (ii) demonstrate
financial need;
(b) Second priority shall be given to applicants who (i) have no
more than one year of full-time teaching experience and (ii) do not
demonstrate financial need;
(c) Third priority shall be given to applicants who (i) have more
than one year but no more than three years of full-time teaching
experience and (ii) demonstrate financial need; and
(d) Fourth priority shall be given to applicants who (i) have more
than one year but no more than three years of full-time teaching
experience and (ii) do not demonstrate financial need.

Sec. 5. Applications for teacher aid must be submitted no later
than June 10, 2023, and no later than June 10 of each year thereafter, on
a form developed by the department. The department shall determine
what to approve or deny each application and shall notify each
applicant of such determination no later than September 10, 2023, and no
later than September 10 of each year thereafter. Teacher aid awarded
under the program shall be paid, in whole or in part as provided in
section 6 of this act, no later than November 10, 2023, and no later than
November 10 of each year thereafter.

Sec. 6. (1) Teacher aid awarded under the program shall be paid as
student loan repayment assistance pursuant to subsection (2) of this
section or as a stipend pursuant to subsection (3) of this section. The
applicant shall select the method of payment on his or her application.
(2)(a) Student loan repayment assistance awarded under the program
shall be paid in one of the following two ways as directed by the
applicant on his or her application:
(i) Directly to the lender or loan servicer that holds the
outstanding balance of the student loan in one lump-sum payment; or
(ii) Directly to the lender or loan servicer that holds the
outstanding balance of the student loan in monthly payments. Such monthly
payments shall be made:
(A) In twelve equal payments; or
(B) If requested by the applicant, in smaller amounts over a longer
period of time, not to exceed twenty-four months. In such case, payments
shall be equal for the first twelve months or until such time as the
applicant's payment amount is recalculated by the lender or loan servicer
and, if adjusted, shall be equal for the next twelve-month period.
Any unapplied funds at the end of twenty-four months may be requested to be
paid in a lump-sum payment to the lender or loan servicer or shall be
considered forfeited by the applicant. Applicants who are awarded student
loan repayment assistance in more than one year may have their awards
divided across no more than one hundred twenty monthly payments under the
program.
(b) An eligible applicant may receive student loan repayment
assistance under the program for the repayment of a student loan that was
received through any lender and that was incurred in the applicant's own
name for his or her own educational expenses at any accredited public or
private nonprofit college or university in this state or any other state.
If the loan is not a state or federal guaranteed student loan, the note
or other writing governing the terms of the loan must require the loan
proceeds to be used for expenses incurred by the applicant to attend an
accredited public or private nonprofit college or university in this
state or any other state.
(c) Student loan repayment assistance awarded under the program may
be applied to the principal amount of the loan and to interest that 
accrues.
(d) The department may contract with a third-party vendor to 
administer the student loan repayment assistance provided pursuant to 
this subsection.
(3) Stipends awarded under the program shall be paid directly to the 
applicant and may be used for the applicant's living expenses. Stipends 
shall only be available if the applicant is not in default on any student 
loan at the time of application.
Sec. 7. The total amount of teacher aid awarded pursuant to the 
program shall not exceed five million dollars in any fiscal 
year.
Sec. 8. The State Board of Education may adopt and promulgate rules 
and regulations to carry out the Teach in Nebraska Today Act.
On page 14, strike lines 9 through 12 and insert the following 
new subsection:
"(18) There shall be subtracted from the federal adjusted gross 
income of individuals any amount received by the individual as teacher 
aid under the Teach in Nebraska Today Act, to the extent such amount is 
included in federal adjusted gross income. For purposes of this 
subsection, teacher aid has the same meaning as in section 2 of this 
act."
RESOLUTION(S)
LEGISLATIVE RESOLUTION 330. Introduced by Linehan, 39.
PURPOSE: The purpose of this resolution is to propose an interim study to 
determine what percentage should be used to forecast revenue when 
preparing fiscal notes and determine if state agencies or political 
subdivisions should use the same percentage when preparing their estimates 
on the fiscal impact of a specific bill. The study should also examine how 
the percentage interplays with the Nebraska Economic Forecasting 
Advisory Board when calculating the increase or decrease in projected 
revenue.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE 
ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND 
SESSION:
1. That the Appropriations Committee of the Legislature shall be 
designated to conduct an interim study to carry out the purposes of this 
resolution.
2. That the committee shall upon the conclusion of its study make a report 
of its findings, together with its recommendations, to the Legislative 
Council and the Clerk of the Legislature.
Referred to the Executive Board.
GENERAL FILE
LEGISLATIVE BILL 773. Senator Brewer, AM1757, found on page 509 
and considered on pages 792 and 802 and in this day's Journal, was 
renewed.
Senator M. Cavanaugh, AM1907, found on page 706 and in this day's 
Journal, was renewed.
Senator Morfeld offered the following motion:

**MO154**
Bracket until April 20, 2022.

**POINT OF ORDER**

Senator M. Cavanaugh requested a point of order.

The M. Cavanaugh requested a point of order was not recognized by the Chair.

**MOTION - Adjournment**

Senator M. Hansen moved to adjourn until 10:00 a.m., Monday, March 14, 2022.

Senator Wayne requested a machine vote on the motion to adjourn.

The M. Hansen motion to adjourn failed with 4 ayes, 35 nays, 8 present and not voting, and 2 excused and not voting.

**GENERAL FILE**

**LEGISLATIVE BILL 773.** Senator Brewer, **AM1757**, found on page 509 and considered on pages 792 and 802 and in this day's Journal, was renewed

Senator M. Cavanaugh, **AM1907**, found on page 706 and in this day's Journal, was renewed.

The Morfeld motion, **MO154**, found and considered in this day's Journal, to bracket until April 20, 2022, was renewed.

Senator Brewer offered the following motion:

**MO155**
Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Brewer moved for a call of the house. The motion prevailed with 33 ayes, 1 nays, and 15 not voting.

Senator Brewer requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 36:

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<th>Clements</th>
<th>Halloran</th>
<th>Linehan</th>
<th>Slama</th>
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Voting in the negative, 9:
Bostar  Cavanaugh, M. Hansen, M. Morfeld   Vargas
Cavanaugh, J.  DeBoer   Lathrop   Pansing Brooks

Present and not voting, 3:

McKinney   Walz   Wishart

Excused and not voting, 1:

Hunt

The Brewer motion to invoke cloture prevailed with 36 ayes, 9 nays, 3 present and not voting, and 1 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on the Morfeld motion to bracket.

Voting in the affirmative, 5:

Cavanaugh, J.  Cavanaugh, M. Hansen, M. Lathrop   Morfeld

Voting in the negative, 42:

Aguilar   Clements   Halloran   Lowe   Slama
Albrecht   Day   Hansen, B.  McCollister   Stinner
Arch   DeBoer   Hilgers   McDonnell   Vargas
Blood   Dorn   Hilkemann   McKinney   Wayne
Bostar   Erdman   Hughes   Moser   Williams
Bostelman   Flood   Jacobson   Murman   Wishart
Brandt   Friesen   Kolterman   Pahls
Briese   Geist   Lindstrom   Pansing Brooks

Present and not voting, 1:

Walz

Excused and not voting, 1:

Hunt

The Morfeld motion to bracket failed with 5 ayes, 42 nays, 1 present and not voting, and 1 excused and not voting.

The M. Cavanaugh amendment lost with 9 ayes, 33 nays, 6 present and not voting, and 1 excused and not voting.
The Brewer amendment was adopted with 39 ayes, 2 nays, 7 present and not voting, and 1 excused and not voting.

Senator Flood requested a roll call vote on the advancement of the bill.

Senator Blood requested the roll call vote be taken in reverse order.

Voting in the affirmative, 35:

Aguilar  Bries  Geist  Jacobson  Murman
Albrecht  Clements  Gragert  Koltermann  Pahls
Arch  Day  Halloran  Lindstrom  Sanders
Blood  Dorn  Hansen, B.  Linehan  Slama
Bostelman  Erdman  Hilgers  Lowe  Stinner
Brandt  Flood  Hilkemann  McDonnell  Wayne
Brewer  Friesen  Hughes  Moser  Williams

Voting in the negative, 9:

Bostar  Cavanaugh, M.  Hansen, M.  Morfeld  Vargas
Cavanaugh, J.  DeBoer  Lathrop  Pansing  Brooks

Present and not voting, 4:

McCollister  McKinney  Walz  Wishart

Excused and not voting, 1:

Hunt

Advanced to Enrollment and Review Initial with 35 ayes, 9 nays, 4 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

BILL ON FINAL READING
Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB767 with 37 ayes, 5 nays, 6 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 767.

A BILL FOR AN ACT relating to pharmacy benefit managers; to adopt the Pharmacy Benefit Manager Licensure and Regulation Act; to eliminate
provisions relating to pharmacy benefit managers; to provide an operative
date; to provide severability; and to outright repeal section 71-2484,

Whereupon the President stated: "All provisions of law relative to procedure
having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 48:

Aguilar  Cavanaugh, M.  Halloran  Linehan  Sanders
Albrecht  Clements  Hansen, B.  Lowe  Slama
Arch  Day  Hansen, M.  McCollister  Stinner
Blood  DeBoer  Hilgers  McDonnell  Vargas
Bostar  Dorn  Hilkemann  McKinney  Walz
Bostelman  Erdman  Hughes  Morfeld  Wayne
Brandt  Flood  Jacobson  Moser  Williams
Brewer  Friesen  Kolterman  Murman  Wishart
Briese  Geist  Lathrop  Pahls
Cavanaugh, J.  Gragert  Lindstrom  Pansing Brooks

Voting in the negative, 0.

Excused and not voting, 1:

Hunt

A constitutional majority having voted in the affirmative, the bill was
declared passed and the title agreed to.

**MOTION(S) - Return LB767A to Select File**

Senator Wayne moved to return LB767A to Select File for the following
specific amendment:

FA110,

Strike section 1.

Senator Wayne withdrew his motion to return.

**BILLS ON FINAL READING**

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 767A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to
aid in carrying out the provisions of Legislative Bill 767, One Hundred
Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 48:

Aguilar  Cavanaugh, M.  Halloran  Linehan  Sanders  
Albrecht  Clements  Hansen, B.  Lowe  Slama  
Arch  Day  Hansen, M.  McCollister  Stinner  
Blood  DeBoer  Hilgers  McDonnell  Vargas  
Bostar  Dorn  Hilkemann  McKinney  Walz  
Bostelman  Erdman  Hughes  Morfeld  Wayne  
Brandt  Flood  Jacobson  Moser  Williams  
Brewer  Friesen  Koltermann  Murman  Wishart  
Briese  Geist  Lathrop  Pahls  
Cavanaugh, J.  Gragert  Lindstrom  Pansing Brooks

Voting in the negative, 0.

Excused and not voting, 1:

Hunt

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1099. With Emergency Clause.

A BILL FOR AN ACT relating to economic development; to create the Nebraska Hydrogen Hub Industry Work Group; to provide duties for the Department of Economic Development; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 47:

Aguilar  Cavanaugh, M.  Halloran  Linehan  Sanders  
Albrecht  Clements  Hansen, B.  Lowe  Slama  
Arch  Day  Hansen, M.  McCollister  Stinner  
Blood  DeBoer  Hilgers  McDonnell  Vargas  
Bostar  Dorn  Hilkemann  McKinney  Walz  
Bostelman  Erdman  Hughes  Morfeld  Wayne  
Brandt  Flood  Jacobson  Moser  Williams  
Brewer  Friesen  Koltermann  Murman  Wishart  
Briese  Geist  Lathrop  Pahls  
Cavanaugh, J.  Gragert  Lindstrom  Pansing Brooks
Voting in the negative, 0.

Present and not voting, 2:

Hunt Wishart

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 519.** Placed on Select File with amendment. [ER138](http://example.com) is available in the Bill Room.

**LEGISLATIVE BILL 598.** Placed on Select File with amendment. [ER136](http://example.com)

1. Strike the original sections and all amendments thereto and
2. insert the following new sections:
3. Section 1. Sections 1 to 5 of this act shall be known and may be
4. cited as the Small Business Stabilization Grant Program Act.
5. Sec. 2. The purpose of the Small Business Stabilization Grant
6. Program Act is to provide grant funds to eligible businesses that are
7. experiencing a significant loss of revenue as a result of a qualifying
8. event.
9. Sec. 3. For purposes of the Small Business Stabilization Grant
10. Program Act:
11. (1) Department means the Department of Economic Development;
12. (2) Eligible business means a for-profit business that:
13. (a) Is located in this state; and
14. (b) Had no more than one million dollars of gross revenue in the
15. most recently completed calendar year; and
16. (3) Qualifying event means any natural disaster, pandemic, or other
17. event for which a state of emergency proclamation is issued by the
18. Governor pursuant to section 81:829.40;
19. Sec. 4. (1) If a qualifying event occurs, the department shall
20. establish a grant program to provide financial assistance to eligible
21. businesses that have experienced a significant loss of revenue as a
22. result of such qualifying event. An eligible business shall be considered
23. to have experienced a significant loss of revenue if its gross revenue
24. over a period of one month or more has declined by at least fifty percent
25. from the amount of gross revenue received over the same period in the
26. prior year.
27. (2) Whenever such a grant program is established, an eligible
28. business may submit an application to the department with sufficient
29. documentation to show the loss of revenue required under subsection (1)
30. of this section.
31. (3) If the applicant is an eligible business and meets the
32. requirements of subsection (1) of this section, the department shall
33. approve the application and shall notify the applicant of such approval.
34. (4) The department shall consider applications in the order in which
35. they are received and may approve applications within the limits of
36. available appropriations.
37. (5) Each grant approved under this section shall be no more than
38. twelve thousand dollars.
39. Sec. 5. The department may adopt and promulgate rules and
13 regulations to carry out the Small Business Stabilization Grant Program
14 Act.
15 Sec. 6. Since an emergency exists, this act takes effect when
16 passed and approved according to law.

**LEGISLATIVE BILL 1023.** Placed on Select File with amendment.

ER139
1 1. On page 1, strike beginning with "water" in line 1 through line 3
2 and insert "state government; to amend section 59-802, Reissue Revised
3 Statutes of Nebraska; to adopt the Jobs and Economic Development
4 Initiative Act and the Water Recreation Enhancement Act; to change
5 provisions relating to the Statewide Tourism And Recreational Water
6 Access and Resource Sustainability Special Committee of the Legislature;
7 to repeal the original section; and to declare an emergency.”.

**LEGISLATIVE BILL 1015.** Placed on Select File.

**LEGISLATIVE BILL 1073.** Placed on Select File with amendment.

ER137
1 1. On page 1, strike beginning with "amend" in line 1 through line 2
2 and insert "require the Governor to apply for emergency rental
3 assistance under the federal American Rescue Plan Act of 2021; and to declare an emergency.”.

(Signed) Terrell McKinney, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator M. Cavanaugh filed the following amendment to LB29:
FA105
On page 2, line 8 strike "may" and replace with "shall"

Senator M. Cavanaugh filed the following amendment to LB855:
FA106
On page 2, line 23 insert "(FQHC)" after "services"

Senator M. Cavanaugh filed the following amendment to LB905:
FA107
On page 1, line 14 strike "means" and replace with "is defined as"

Senator M. Cavanaugh filed the following amendment to LB1082:
FA108
On page 2, line 5 after "Services" insert "(DHHS)"

Senator M. Cavanaugh filed the following amendment to LB1137:
FA109
On page 2, line 10 strike "means" and replace with "is defined as"

Senator McKinney filed the following amendment to LB927:
AM2242 (Amendments to Standing Committee amendments, AM2023)
1 1. On page 4, strike beginning with "to" in line 22 through line 26,
2 show as stricken, and insert “Fifty-five percent of such funds shall be
used to showcase important historical aspects of such areas or areas within close geographic proximity of the area with a high concentration of poverty and to assist with the reduction of street and gang violence in such areas. Forty-five percent of such funds shall be used to assist small business and entrepreneurship growth in such areas.

2. On page 5, line 24, after the period insert "Applications may be submitted to either of the committee members described in subdivisions (3)(c)(i) and (ii) of this section."

3. On page 6, after line 13 insert the following new subdivisions:

"(a) For any committee formed under subdivision (3)(b) of this section:
(b) The two committee members described in subdivisions (3)(c)(i) and (ii) of this section shall share joint responsibility of all committee operations and meetings. Applications for funding may be submitted to either of such members; and
(c) All applications, reports, and other records of the committee shall be accessible to any member of the committee.
(d) Each recipient of funding from a committee formed under subdivision (3)(b) of this section shall submit an itemized report to such committee on the use of such funds. A recipient shall not be eligible to receive funding for more than three consecutive years unless such recipient is able to justify continued funding based on the following criteria:
(i) The number of people served by the project;
(ii) The relevance and scale of the project;
(iii) The desirability of the social or environmental outcomes of the project and how such outcomes will be achievable and measurable;
(iv) The economic impact on the area with a high concentration of poverty; and
(v) The recipient's sustainability plan.", in line 14 strike "(c)", show as stricken, and insert "(d)"; and in line 23 strike "(f)", show as stricken, and insert "(h)".

Senator M. Cavanaugh filed the following amendment to LB742:

**FA111**

Page 2 line 15, strike "a newspaper" and insert "newspapers"

Senator M. Cavanaugh filed the following amendment to LB983:

**FA112**

Page 2 line 13, strike "store" and replace with "storage of"

**GENERAL FILE**

**LEGISLATIVE BILL 809.** Title read. Considered.

Committee **AM2004**, found on page 631, was offered.

**SENATOR FLOOD PRESIDING**

Committee **AM2004**, was adopted with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.
LEGISLATIVE BILL 809A. Title read. Considered.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 13 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 800. Title read. Considered.

SPEAKER HILGERS PRESIDING

Committee **AM2035**, found on page 697, was adopted with 34 ayes, 1 nay, 11 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 1 nay, 10 present and not voting, and 3 excused and not voting.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 767, 767A, and 1099e.

**AMENDMENT(S) - Print in Journal**

Senator Williams filed the following amendment to **LB1069**: **AM2299**

1. On page 4, strike beginning with "Grants" in line 9 through 2 "application" in line 11, show the old matter as stricken, and insert "An applicant shall provide matching funds of at least one-half of the amount of workforce housing grant funds awarded".
2. On page 5, line 31, strike "Affordable", show as stricken, and insert "General".
3. On page 6, line 1, strike "Housing Trust" and show as stricken; and in line 10, strike "Affordable Housing Trust", show as stricken, and insert "General".
4. On page 7, line 6, strike "credit to the Affordable Housing Trust", show as stricken, and insert "transfer to the General".

GENERAL FILE

LEGISLATIVE BILL 750. Title read. Considered.

Committee **AM1966**, found on page 633, was offered

Senator Friesen asked unanimous consent to withdraw his amendment, **AM2038**, found on page 635, to the committee amendment, and replace it with his substitute amendment, **AM2067**, found on page 666, to the committee amendment. No objections. So ordered.

The Friesen amendment was adopted with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.
The Geist, AM1967, found on page 646, to the committee amendment, was adopted with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

The Albrecht, AM2085, found on page 701, to the committee amendment, was adopted with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

The Erdman, AM2294, found on page 803, to the committee amendment, was adopted with 36 ayes, 0 nays, 11 present and not voting, and 2 excused and not voting.

Committee AM1966, as amended, was adopted, with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 344. Title read. Considered.

Committee AM83, found on page 466, First Session, 2021, was offered.

Senator Friesen offered his amendment, AM1880, found on page 593, to the committee amendment.

Senator Kolterman offered the following motion:
MO156
Recommit to Transportation and Telecommunications Committee.

SENATOR HUGHES PRESIDING

Senator Kolterman withdrew his motion to recommit to committee.

The Friesen amendment was adopted with 41 ayes, 0 nays, 7 present and not voting, and 1 excused and not voting.

The committee amendment, as amended, was adopted with 42 ayes, 0 nays, 6 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 9 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 344A. Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 12 present and not voting, and 1 excused and not voting.
LEGISLATIVE BILL 1102. Title read. Considered.

Committee AM1893, found on page 618, was adopted with 40 ayes, 0 nays, 8 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 8 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 1102A. Title read. Considered.

Senator Bostelman's AM2212, found on page 765, was offered.

The Bostelman amendment was adopted with 36 ayes, 0 nays, 12 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 10 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 927. Title read. Considered.

Committee AM2023, found on page 635, was offered.

Senator McKinney's AM2242, found in this day's Journal, was offered.

Pending.

PRESENTED TO THE GOVERNOR

Presented to the Governor on March 11, 2022, at 1:12 p.m. were the following: LBs 767, 767A, and 1099e.

(Signed) Jamie Leishman
Clerk of the Legislature's Office

NOTICE OF COMMITTEE HEARINGS(S)
Transportation and Telecommunications
Room 1113 12:00 PM

Tuesday, March 22, 2022
LB344
AM1880

(Signed) Curt Friesen, Chairperson

AMENDMENT(S) - Print in Journal

Senator M. Cavanaugh filed the following amendment to LB908:
FA113
Page 5 line 11, remove "in" and replace with "within"
Senator M. Cavanaugh filed the following amendment to LB856:

FA114
Page 2, line 13 insert "The" before "Department"

Senator M. Cavanaugh filed the following amendment to LB1007:

FA115
Amend AM2099: page 1, line 16 strike "will" and insert "shall"

Senator Clements filed the following amendment to LB1241:

AM2173

(Amendments to E&Rs amendments, ER111)

1. Insert the following new sections:
2. Sec. 5. Sections 5 to 11 of this act shall be known and may be
cited as the Law Enforcement Attraction and Retention Act.
3. Sec. 6. (1) The Legislature finds that:
4. (a) The State of Nebraska and cities and counties in this state have
5. experienced a dramatic decrease in applications for law enforcement
6. officer positions;
7. (b) Law enforcement officers in Nebraska are leaving the law
8. enforcement profession;
9. (c) Law enforcement agencies are not retaining law enforcement
10. officers at a rate sufficient to ensure public safety;
11. (d) Law enforcement officers are the critical element of public
12. safety in Nebraska communities; and
13. (e) Maintaining a robust law enforcement workforce is in the best
14. interests of all Nebraskans.
15. (2) The purpose of the Law Enforcement Attraction and Retention Act
16. is to provide financial incentives to attract and retain law enforcement
17. officers.
18. Sec. 7. For purposes of the Law Enforcement Attraction and
19. Retention Act:
20. (1) Council means the Nebraska Police Standards Advisory Council;
21. and
22. (2) Law enforcement officer has the same meaning as in section
23. 81-1401.
24. Sec. 8. (1) The council shall accept applications for retention
25. of incentive payments from individual law enforcement officers in Nebraska.
26. (2) To be eligible for a tier 1 retention incentive payment, a law
27. enforcement officer must complete twelve months of full-time employment
28. as a law enforcement officer after July 1, 2022. No law enforcement
29. officer shall receive more than one tier 1 retention incentive payment.
30. (3) To be eligible for a tier 2 retention incentive payment, a law
31. enforcement officer must complete three years of full-time employment as
32. a law enforcement officer after July 1, 2022. No law enforcement officer
33. shall receive more than one tier 2 retention incentive payment.
34. (4) To be eligible for a tier 3 retention incentive payment, a law
35. enforcement officer must complete five years of full-time employment as a
36. law enforcement officer after July 1, 2022. No law enforcement officer
37. shall receive more than one tier 3 retention incentive payment.
38. (5) Full-time law enforcement officers employed by a law enforcement
39. agency that employs more than seventy-five full-time law enforcement
40. officers shall only be eligible for a tier 1 retention incentive payment,
41. and such payment shall be seven hundred fifty dollars.
42. (6) For full-time law enforcement officers employed by a law
43. enforcement agency that employs seventy-five or fewer full-time law
44. enforcement officers:
45. (a) The tier 1 retention incentive payment shall be one thousand

senator arch filed the following amendment to lb752:

sections 5, 6, 7, 8, 9, 10, and 11 of this act become
two years after july 1, 2022. the other sections of this act become
operative on their effective date.

1. insert the following new sections:
2 section 7, section 38-131, revised statutes cumulative supplement,
3 2020, is amended to read:
4 38-131 (1) an applicant for an initial license to practice as a
5 registered nurse, a licensed practical nurse, a physical therapist, a
6 physical therapy assistant, a psychologist, an advanced emergency medical
7 technician, an emergency medical technician, an audiologist, a speech-
8 language pathologist, a licensed independent mental health practitioner,
9 an occupational therapist, an occupational therapy assistant, or a
10 paramedic or to practice a profession which is authorized to prescribe
11 controlled substances shall be subject to a criminal background check. a
12 criminal background check may also be required for initial licensure or
13 reinstatement of a license governed by the uniform credentialing act if a
14 criminal background check is required by an interstate licensure compact.
15 except as provided in subsection (3) of this section, the applicant shall
16 submit with the application a full set of fingerprints which shall be
17 forwarded to the nebraska state patrol to be submitted to the federal
18 bureau of investigation for a national criminal history record
19 information check. the applicant shall authorize release of the results
20 of the national criminal history record information check to the
21 department. the applicant shall pay the actual cost of the fingerprinting
22 and criminal background check.
23 (2) this section shall not apply to a dentist who is an applicant
24 for a dental locum tenens under section 38-1122, to a physician or
25 osteopathic physician who is an applicant for a physician locum tenens
26 under section 38-2036, to a veterinarian who is an applicant for a
27 veterinarian locum tenens under section 38-3335.
28 (3) an applicant for a temporary educational permit as defined in
29 section 38-2019 shall have ninety days from the issuance of the permit to
30 comply with subsection (1) of this section and shall have his or her
31 permit suspended after such ninety-day period if the criminal background
32 check is not complete or revoked if the criminal background check reveals
33 that the applicant was not qualified for the permit.
8 section 10, section 38-2101, reissue revised statutes of nebraska, is
amended to read:
Sections 38-2101 to 38-2139 and section 16 of this act shall be known and may be cited as the Mental Health Practice Act.

Sec. 16. The only persons credentialed pursuant to the Mental Health Practice Act that are eligible to be licensed professional counselors under the Licensed Professional Counselors Interstate Compact are licensed independent mental health practitioners with a certification in professional counseling.

On page 33, line 22, after the second comma insert "G, ".

On page 35, line 17, strike "license" and insert "Licensed"; and in line 29 strike "Member States" and insert "Home State".

On page 37, line 10, after "state" insert "or through the process described in Article 5".

Renumber the remaining sections, correct internal references, and correct the repealer accordingly.

Senator Hilkemann filed the following amendment to LB981:

(1) Insert the following new section:

Sec. 1. There is hereby appropriated $1,000,000 from the General Fund for FY2022-23 to the Game and Parks Commission, for Program 550. There is included in the appropriation to this program for FY2022-23 $1,000,000 for purposes of providing a twenty percent match for a grant as required under the federal Rebuilding American Infrastructure with Sustainability and Equity discretionary grant program, which shall only be used for such purposes.

The Game and Parks Commission shall coordinate with the Department of Transportation to apply for a five-million-dollar federal Rebuilding American Infrastructure with Sustainability and Equity discretionary grant for the completion of a statewide, long-range study for the development and improvement of Nebraska's trail network.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $55,825 for FY2022-23.

VISITOR(S)

Visitors to the Chamber were Senator Williams' niece Sally and great-niece Cella Guthmiller and her friend Emma Charvat; fourth-grade students and their teacher from Oakdale School; and fourth-grade students from Avery Elementary School, Bellevue.

The Doctor of the Day was Dr. Pat Hotovy of York.

ADJOURNMENT

At 2:59 p.m., on a motion by Senator Lathrop, the Legislature adjourned until 10:00 a.m., Monday, March 14, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
FORTY-FIRST DAY - MARCH 14, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

FORTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Monday, March 14, 2022

PRAYER

The prayer was offered by Pastor Peter Sample, Calvary Bible Church, Neligh.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator DeBoer.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator M. Hansen, who was excused; and Senators Albrecht, Bostar, Geist, Hunt, McCollister, McKinney, Morfeld, Pansing Brooks, Vargas, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fortieth day was approved.

AMENDMENT(S) - Print in Journal

Senator Flood filed the following amendment to LB1144:

AM2316

(Amendments to Standing Committee amendments, AM2107)

1 1. On page 10, line 24, strike “may” and insert “shall”.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 313, 314, 315, 316, and 317 were adopted.
While the Legislature was in session and capable of transacting business, the President signed the following: LRs 313, 314, 315, 316, and 317.

GENERAL FILE

**LEGISLATIVE BILL 283.** Title read. Considered.
Advanced to Enrollment and Review Initial with 40 ayes, 3 nays, 2 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 779.** Title read. Considered.
Senator M. Cavanaugh offered her amendment, [FA99](#). found on page 800.
Senator M. Cavanaugh withdrew her amendment, [FA99](#).
Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 808.** Title read. Considered.
Senator M. Cavanaugh offered her amendment, [FA100](#), found on page 800.
Senator M. Cavanaugh withdrew her amendment, [FA100](#).
Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 5 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 1092.** Title read. Considered.
Senator M. Cavanaugh offered her amendment, [FA101](#), found on page 800.
Senator M. Cavanaugh withdrew her amendment, [FA101](#).
Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 1204.** Title read. Considered.
Committee [AM1894](#), found on page 599, was offered.
Senator M. Cavanaugh offered her amendment, [FA102](#), found on page 800, to the committee amendment.
Senator M. Cavanaugh withdrew her amendment, [FA102](#).
Committee AM1894, was adopted with 39 ayes, 0 nays, 7 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

COMMITTEE REPORT(S)
Appropriations

LEGISLATIVE BILL 977. Placed on General File with amendment.

AM23110
1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 81-12,147, Revised Statutes Supplement, 2021, is
4 amended to read:
5 81-12,147 (1) Except as provided in subsection (2) of this section,
6 the Department of Economic Development shall use the Site and Building
7 Development Fund to finance loans, grants, subsidies, credit
8 enhancements, and other financial assistance for industrial site and
9 building development and for expenses of the department as appropriated
10 by the Legislature for administering the fund. The following activities
11 are eligible for assistance from the fund:
12 (a) Grants or zero-interest loans to villages, cities, or counties
13 to acquire land, infuse infrastructure, or otherwise make large sites and
14 buildings ready for industrial development;
15 (b) Matching funds for new construction, rehabilitation, or
16 acquisition of land and buildings to assist villages, cities, and
17 counties;
18 (c) Technical assistance, design and finance services, and
19 consultation for villages, cities, and counties for the preparation and
20 creation of industrial-ready sites and buildings;
21 (d) Loan guarantees for eligible projects;
22 (e) Projects making industrial-ready sites and buildings more
23 accessible to business and industry;
24 (f) Infrastructure projects necessary for the development of
25 industrial-ready sites and buildings;
26 (g) Projects that mitigate the economic impact of a closure or
27 downsizing of a private-sector entity by making necessary improvements to
1 buildings and infrastructure; and
2 (h) Public and private sector initiatives that will improve the
3 military value of military installations by making necessary improvements
4 to buildings and infrastructure; and .
5 (i) Grants to any city of the second class which partners with
6 public power utilities for purposes of expanding electrical system
7 capacities and enhancing redundancy and resilience.
8 (2) The Department of Economic Development shall use the subaccount
9 of the Site and Building Development Fund described in subsection (2) of
10 section 81-12,146 to provide financial assistance to any inland port
11 authority created under the Municipal Inland Port Authority Act to help
12 finance large shovel-ready commercial and industrial sites developed
13 under such act.
14 Sec. 2. Section 84-612, Revised Statutes Supplement, 2021, is
15 amended to read:
16 84-612 (1) There is hereby created within the state treasury a fund
17 known as the Cash Reserve Fund which shall be under the direction of the
18 State Treasurer. The fund shall only be used pursuant to this section.
19 (2) The State Treasurer shall transfer funds from the Cash Reserve
20 Fund to the General Fund upon certification by the Director of
21 Administrative Services that the current cash balance in the General Fund
22 is inadequate to meet current obligations. Such certification shall
23 include the dollar amount to be transferred. Any transfers made pursuant
24 to this subsection shall be reversed upon notification by the Director of
25 Administrative Services that sufficient funds are available.
26 (3) In addition to receiving transfers from other funds, the Cash
27 Reserve Fund shall receive federal funds received by the State of
28 Nebraska for undesignated general government purposes, federal revenue
29 sharing, or general fiscal relief of the state.
30 (4) The State Treasurer shall transfer fifty-four million seven
31 hundred thousand dollars on or after July 1, 2019, but before June 15,
32 2021, from the Cash Reserve Fund to the Nebraska Capital Construction
33 Fund on such dates and in such amounts as directed by the budget
34 administrator of the budget division of the Department of Administrative
35 Services.
36 (5) The State Treasurer shall transfer thirty million dollars from
37 the Cash Reserve Fund to the General Fund after November 15, 2020, but
38 before December 31, 2020, on such date as directed by the budget
39 administrator of the budget division of the Department of Administrative
40 Services. Except for the transfer authorized in this subsection, no funds
41 shall be transferred from the Cash Reserve Fund to fulfill the
42 obligations created under the Nebraska Property Tax Incentive Act unless
43 the balance in the Cash Reserve Fund after such transfer will be at least
44 equal to five hundred million dollars.
45 (6) The State Treasurer shall transfer fifty million dollars from
46 the Cash Reserve Fund to the United States Space Command Headquarters
47 Assistance Fund on or before June 30, 2023, but not before July 1, 2022,
48 on such dates and in such amounts as directed by the budget administrator
49 of the budget division of the Department of Administrative Services. The
50 treasurer in this subsection shall not occur unless the State of Nebraska
51 is selected as the site of the United States Space Command headquarters.
52 (7) The State Treasurer shall transfer fifteen million dollars from
53 the Cash Reserve Fund to the Site and Building Development Fund on or
54 before June 30, 2022, on such dates and in such amounts as directed by
55 the budget administrator of the budget division of the Department of
56 Administrative Services.
57 Sec. 3. Original sections 81-12,147 and 84-612, Revised Statutes
58 Supplement, 2021, are repealed.
59 Sec. 4. Since an emergency exists, this act takes effect when
60 passed and approved according to law.

LEGISLATIVE BILL 1163. Placed on General File with amendment.

AM2277
1 1. Strike original section 7 and insert the following new section:
2 Sec. 8. Since an emergency exists, this act takes effect when passed
3 and approved according to law.
4 2. Renumber the remaining section and correct the repealer
5 accordingly.

(Signed) John Stinner, Chairperson

AMENDMENT(S) - Print in Journal

Senator Hilgers filed the following amendment to LB1023:
AM2300 is available in the Bill Room.
Senator McKinney filed the following amendment to LB1011:

AM2318 (Amendments to Standing Committee amendments, AM1999)

1 1. On page 67, line 19, after the period insert "No expenditures for
2 permanent and temporary salaries and per diems for state employees shall
3 be made from such Cash Funds appropriated for grants for the services
4 described in this section."

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So
ordered.

Senator Sanders name added to LB779.
Senator Blood name added to LB829.
Senator Blood name added to LB851.
Senator Blood name added to LB853.
Senator Blood name added to LB856.

RECESS

At 12:10 p.m., on a motion by Senator B. Hansen the Legislature recessed
until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Hughes presiding.

ROLL CALL

The roll was called and all members were present except Senators
Bostelman, J. Cavanaugh, Clements, Dorn, Erdman, Flood, Halloran, B.
Hansen, Hilkemann, Hunt, Kolterman, McCollister, McDonnell, Morfeld,
Pansing Brooks, Stinner, Vargas, Wayne, and Wishart who were excused
until they arrive.

AMENDMENT(S) - Print in Journal

Senator Linehan filed the following amendment to LB1014:

FA116 Amend AM2330: strike any new matter including: Section 1 Definition of Appropriation Period

Senator Linehan filed the following amendment to LB1014:

FA117 Amend AM2330: strike any new matter including: Section 2 Appropriation language

Senator Linehan filed the following amendment to LB1014:

FA118 Amend AM2330: strike any new matter including: Section 3 Unexpended balances and certified encumbrances
Senator Linehan filed the following amendment to **LB1014**: 

**FA119**
Amend AM2330: strike any new matter including: Section 4 Reappropriation of Balances, FY2021-2022 to FY2022-2023; FY2022-2023 to FY2023-2024; FY2023-2024 to FY2024-2025.

Senator Linehan filed the following amendment to **LB1014**: 

**FA120**
Amend AM2330: strike any new matter including: Section 5 Nebraska Accounting System Manual Definitions

Senator Linehan filed the following amendment to **LB1014**: 

**FA121**
Amend AM2330: strike any new matter including: Section 6 Drawing and Paying Warrants

Senator Linehan filed the following amendment to **LB1014**: 

**FA122**
Amend AM2330: strike any new matter including: Section 7 Public Health and Safety Premium Pay

Senator Linehan filed the following amendment to **LB1014**: 

**FA123**
Amend AM2330: strike any new matter including: Agency No. 33 - Game and Parks Commission

Senator Linehan filed the following amendment to **LB1014**: 

**FA124**
Amend AM2330: strike any new matter including: Agency No. 72 - Department of Economic Development

Senator Linehan filed the following amendment to **LB1014**: 

**FA125**
Amend AM2330: strike any new matter including: Agency No. 13 - State Department of Education

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**MOTION - Overrule Speaker's Agenda**

Senator M. Cavanaugh moved to change the Speaker's agenda pursuant to Rule 1, Section 16, to take up LB661 at 1:30 p.m., today.

The M. Cavanaugh motion to override the Speaker's Agenda failed with 0 ayes, 45 nays, and 4 excused and not voting.

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**COMMITTEE REPORT(S)**

Judiciary

**LEGISLATIVE BILL 833**, Placed on General File with amendment. 

**AM2335**

1. Strike original section 1 and insert the following new section:
2. Section 1. Section 25-228, Revised Statutes Cumulative Supplement, 2020, is amended to read:
4 25-228 (1) Except as otherwise provided in the State Tort Claims Act
5 and the Political Subdivisions Tort Claims Act. Notwithstanding any other
6 provision of law,
7 (a) There shall not be any time limitation for an action against the
8 individual or individuals directly causing an injury or injuries suffered
9 by a plaintiff when the plaintiff was a victim of a violation of section
10 28-319.01 or 28-320.01 if such violation occurred (i) on or after August
11 24, 2017, or (ii) prior to August 24, 2017, if such action was not
12 previously time barred; and
13 (b) There shall not be any time limitation for an action against
14 any person or entity other than the individual directly causing an injury
15 or injuries suffered by a plaintiff when the plaintiff was a victim of a
16 violation of section 28-319.01 or 28-320.01 if such violation occurred
17 (i) on or after the effective date of this act or (ii) prior to the
18 effective date of this act, if such action was not previously time barred
19 may only be brought within twelve years after the plaintiff's twenty-
20 first birthday.
21 (2) Criminal prosecution of a defendant under section 28-319.01 or
22 28-320.01 is not required to maintain a civil action for violation of
23 such sections.

LEGISLATIVE BILL 1009. Placed on General File with amendment.
AM2165 is available in the Bill Room.

LEGISLATIVE BILL 1270. Placed on General File with amendment.
AM1984
1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Sections 1 to 7 of this act shall be known and may be
4 cited as the Law Enforcement Attraction and Retention Act.
5 Sec. 2. (1) The Legislature finds that:
6 (a) The State of Nebraska and cities and counties in this state have
7 experienced a dramatic decrease in applications for law enforcement
8 officer positions;
9 (b) Law enforcement officers in Nebraska are leaving the law
10 enforcement profession;
11 (c) Law enforcement agencies are not retaining law enforcement
12 officers at a rate sufficient to ensure public safety;
13 (d) Law enforcement officers are the critical element of public
14 safety in Nebraska communities; and
15 (e) Maintaining a robust law enforcement workforce is in the best
16 interests of all Nebraskans.
17 (2) The purpose of the Law Enforcement Attraction and Retention Act
18 is to provide financial incentives to attract and retain law enforcement
19 officers.
20 Sec. 3. For purposes of the Law Enforcement Attraction and
21 Retention Act:
22 (1) Council means the Nebraska Police Standards Advisory Council;
23 and
24 (2) Law enforcement officer has the same meaning as in section
25 81-1401.
26 Sec. 4. (1) The council shall accept applications for retention
27 incentive payments from individual law enforcement officers in Nebraska.
1 (2) To be eligible for a tier 1 retention incentive payment, a law
2 enforcement officer must complete twelve months of full-time employment
3 as a law enforcement officer after July 1, 2022. No law enforcement
4 officer shall receive more than one tier 1 retention incentive payment.
5 (3) To be eligible for a tier 2 retention incentive payment, a law
6 enforcement officer must complete three years of full-time employment as
7 a law enforcement officer after July 1, 2022. No law enforcement
8 officer shall receive more than one tier 2 retention incentive payment.
shall receive more than one tier 2 retention incentive payment.

(4) To be eligible for a tier 3 retention incentive payment, a law enforcement officer must complete five years of full-time employment as a law enforcement officer after July 1, 2027. No law enforcement officer shall receive more than one tier 3 retention incentive payment.

(5) Full-time law enforcement officers employed by a law enforcement agency that employs more than seventy-five full-time law enforcement officers shall only be eligible for a tier 1 retention incentive payment, and such payment shall be seven hundred fifty dollars.

(6) For full-time law enforcement officers employed by a law enforcement agency that employs seventy-five or fewer full-time law enforcement officers:

(a) The tier 1 retention incentive payment shall be one thousand five hundred dollars;

(b) The tier 2 retention incentive payment shall be two thousand five hundred dollars; and

(c) The tier 3 retention incentive payment shall be three thousand five hundred dollars.

Sec. 6. The council may adopt and promulgate rules and regulations to carry out the Law Enforcement Attraction and Retention Act.

Sec. 7. The Law Enforcement Attraction and Retention Act terminates on June 30, 2028.

This act becomes operative on July 1, 2022.

Since an emergency exists, this act takes effect when passed and approved according to law.

(Signed) Steve Lathrop, Chairperson

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1112A. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1112, One Hundred Seventh Legislature, Second Session, 2022.

GENERAL FILE

LEGISLATIVE BILL 1184. Title read. Considered.

Committee AM1962, found on page 606, was offered.

Senator M. Cavanaugh offered her amendment, FA103, found on page 800, to the committee amendment.
Senator M. Cavanaugh withdrew her amendment, FA103.

Committee AM1962 was adopted with 41 ayes, 0 nays, 5 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 3 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 1165.** Title read. Considered.

Senator M. Cavanaugh offered her amendment, FA104, found on page 800.

Senator M. Cavanaugh withdrew her amendment, FA104.

Senator M. Cavanaugh moved for a call of the house. The motion failed with 19 ayes, 20 nays, and 10 not voting.

Advanced to Enrollment and Review Initial with 47 ayes, 0 nays, and 2 excused and not voting.

**LEGISLATIVE BILL 29.** Title read. Considered.

Committee AM1610, found on page 420, was offered.

Committee AM1610 was adopted with 47 ayes, 0 nays, and 2 excused and not voting.

Senator M. Cavanaugh offered her amendment, FA105, found on page 824.

Senator M. Cavanaugh withdrew her amendment, FA105.

Advanced to Enrollment and Review Initial with 47 ayes, 0 nays, and 2 excused and not voting.

**LEGISLATIVE BILL 855.** Title read. Considered.

Senator M. Cavanaugh offered her amendment, FA106, found on page 824.

Senator M. Cavanaugh withdrew her amendment, FA106.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 3 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 905.** Title read. Considered.

Committee AM1609, found on page 483, was offered.

**SENATOR LINDSTROM PRESIDING**
SENATOR HUGHES PRESIDING

Committee AM1609 was adopted with 42 ayes, 0 nays, 5 present and not voting, and 2 excused and not voting.

Senator M. Cavanaugh withdrew her amendment, FA107, found on page 824.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 5 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 1082. Title read. Considered.

PRESIDENT FOLEY PRESIDING

Senator Gragert offered his amendment, AM1991, found on page 723.

The Gragert amendment was adopted with 42 ayes, 0 nays, 5 present and not voting, and 2 excused and not voting.

Senator M. Cavanaugh withdrew her amendment, FA108, found on page 824.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 5 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 1137. Title read. Considered.

Senator M. Cavanaugh offered her amendment, FA109, found on page 824.

Senator M. Cavanaugh withdrew her amendment, FA109.

Advanced to Enrollment and Review Initial with 31 ayes, 3 nays, 13 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 742. Title read. Considered.

Senator M. Cavanaugh offered her amendment, FA111, found on page 825.

Senator M. Cavanaugh withdrew her amendment, FA111.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 5 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 983. Title read. Considered.

Senator M. Cavanaugh withdrew her amendment, FA112, found on page 825.
Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 908.** Title read. Considered.

Committee AM1950, found on page 609, was adopted with 40 ayes, 1 nay, 5 present and not voting, and 3 excused and not voting.

Senator M. Cavanaugh withdrew her amendment, FA113, found on page 828.

Advanced to Enrollment and Review Initial with 39 ayes, 1 nay, 6 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 856.** Title read. Considered.

Senator M. Cavanaugh withdrew her amendment, FA114, found on page 829.

Advanced to Enrollment and Review Initial with 41 ayes, 1 nay, 4 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 1007.** Title read. Considered.

Committee AM2099, found on page 741, was offered.

Senator M. Cavanaugh withdrew her amendment, FA115, found on page 829.

Committee AM2099, was adopted with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 829.** Title read. Considered.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 851.** Title read. Considered.

Committee AM2102, found on page 752, was adopted with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.
LEGISLATIVE BILL 1124. Title read. Considered.
Committee AM2138, found on page 752, was adopted with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.
Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 4 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 1057. Title read. Considered.
Committee AM2164, found on page 753, was adopted with 42 ayes, 0 nays, 3 present and not voting, and 4 excused and not voting.
Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 4 present and not voting, and 4 excused and not voting.

BILL ON FIRST READING
The following bill was read for the first time by title:

LEGISLATIVE BILL 977A. Introduced by Slama, 1.
A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 977, One Hundred Seventh Legislature, Second Session, 2022; and to declare an emergency.

MESSAGE(S) FROM THE GOVERNOR
March 14, 2022

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 567, 704, 749e, 786, 791, and 847 were received in my office on March 8, 2022.
These bills were signed and delivered to the Secretary of State on March 14, 2022.

Sincerely,
(Signed) Pete Ricketts
Governor
AMENDMENT(S) - Print in Journal

Senator Bostelman filed the following amendment to LB1016:

AM2239

(Amendments to Standing Committee amendments, AM2128)

1 1. On page 7, line 20, after the period insert "for progressive
2 design-build contracts only, the criteria shall also include
3 consideration of the historic reasonableness of the progressive design-
4 builder's costs and expenses when bidding and completing projects,
5 whether such projects were completed using the progressive design-build
6 process or another bidding and contracting process."

Senator Wishart filed the following amendment to LB598:

AM2293

(Amendments to E&R amendments, ER136)

1 1. Insert the following new sections:
2 Sec. 6. Section 81-12,157, Revised Statutes Cumulative Supplement,
3 2020, is amended to read:
4 81-12,157 (1) The department shall establish a phase one program to
5 provide grants to small businesses that qualify under the federal grant
6 program for the purposes of planning for an application under the federal
7 grant program. If a small business receives funding under the federal
8 grant program, the department or a nonprofit entity designated by the
9 department may make grants to match up to sixty-five percent of the
10 amount of the federal grant.
11 (2) Planning grants under subsection (1) of this section shall not
12 exceed five thousand dollars per project. Federal award matching grants
13 under this section shall not exceed one hundred thousand dollars. No
14 business shall receive funding for more than one project every two years.
15 (3) The department may award up to six million dollars per year
16 for grants under this section.
17 Sec. 7. Section 81-12,158, Revised Statutes Cumulative Supplement,
18 2020, is amended to read:
19 81-12,158 (1) The department shall establish a financial assistance
20 program to provide financial assistance to businesses that employ no more
21 than five hundred employees or to individuals for the purposes of
22 creating a prototype of a product stemming from research and development
23 at a business operating in Nebraska or a public or private college or
24 university in Nebraska.
25 (2) Funds shall be matched by nonstate funds equivalent in money
26 equal to fifty percent of the funds requested. Matching funds may be from
27 any nonstate source, including private foundations, federal or local
28 government sources, quasi-governmental entities, or commercial lending
29 institutions, or any other funds whose source does not include funds
30 appropriated by the Legislature. The amount the department may provide
31 shall not exceed one hundred fifty thousand dollars per project.
32 (3) A business or individual applying for financial assistance under
33 this section shall include a business plan that includes a proof-of-
34 concept demonstration.
35 (4) Financial assistance under this section shall be expended within
36 twenty-four months after the date of the awarding decision.
37 (5) The department may award up to six million dollars per year
38 for financial assistance under this section.
39 Sec. 8. Section 81-12,159, Revised Statutes Cumulative Supplement,
40 2020, is amended to read:
41 81-12,159 (1) The department shall establish an innovation in value-
42 added agriculture program. The purpose of this program is to provide
43 financial assistance to:
44 (a) Support small enterprise formation in the agricultural sector of
19 Nebraska's rural economy, including innovative efforts for value-added
20 enterprises;
21 (b) Support the development of agricultural communities and economic
22 opportunity through innovation in farming and ranching operations, rural
23 communities, and businesses for the development of value-added
24 agricultural products;
25 (c) Enhance the income and opportunity for farming and ranching
26 operations in Nebraska in order to stem the decline in their numbers;
27 (d) Increase the farming and ranching operations' share of the food-
28 system profit;
29 (e) Enhance opportunities for farming and ranching operations to
30 participate in electronic commerce and new and emerging markets that
31 strengthen rural economic opportunities; and
1 (f) Encourage the production and marketing of specialty crops in
2 Nebraska and support the creation and development of agricultural
3 enterprises and businesses that produce and market specialty crops in
4 Nebraska.
5 (2) Agricultural cooperatives, farming or ranching operations, and
6 private businesses and enterprises operating in Nebraska shall be
7 eligible for financial assistance under this section.
8 (3) An entity receiving financial assistance shall provide a match
9 of twenty-five percent for such assistance.
10 (4) The department may award up to six million dollars per year
11 for financial assistance under this section.
12 Sec. 9. Section 81-12,160, Revised Statutes Cumulative Supplement,
13 2020, is amended to read:
14 81-12,160 (1) The department shall establish a financial assistance
15 program to provide financial assistance to businesses operating in
16 Nebraska that employ no more than five hundred employees or to
17 individuals that have a prototype of a product or process for the
18 purposes of commercializing such product or process. The applicant shall
19 submit a feasibility study stating the potential sales and profit
20 projections for the product or process.
21 (2) The department shall create a program with the following
22 provisions to support commercialization of a product or process:
23 (a) Commercialization infrastructure documentation, including market
24 assessments and start-up strategic planning;
25 (b) Promotion, marketing, advertising, and consulting;
26 (c) Management and business planning support;
27 (d) Linking companies and entrepreneurs to mentors;
28 (e) Preparing companies and entrepreneurs to acquire venture
29 capital; and
30 (f) Linking companies to sources of capital.
31 (3) Funds shall be matched by nonstate funds equal to fifty percent
1 of the funds requested. Matching funds may be from any nonstate source,
2 including private foundations, federal or local government sources,
3 quasi-governmental entities, or commercial lending institutions, or any
4 other funds whose source does not include funds appropriated by the
5 Legislature.
6 (4) The department shall not provide more than five hundred thousand
7 dollars to any one project. Each year the department may award up to six
8 four million dollars under this section.
9 (5) Financial assistance provided under this section shall be
10 expended within twenty-four months after the date of the awarding
11 decision.
12 (6) To carry out this section, the department shall contract with
13 one statewide venture development organization that is incorporated in
14 the State of Nebraska and exempt for federal tax purposes under section
15 501(c)(3) of the Internal Revenue Code.
16 Sec. 10. Section 81-12,161, Revised Statutes Cumulative Supplement,
17 2020, is amended to read:
18 81-12,161 (1) The department shall establish a financial assistance
19 program to provide financial assistance to businesses operating in
20 Nebraska that use the faculty or facilities of a public or private
21 college or university in Nebraska for applied research and development of
22 new products or use intellectual property generated at a public or
23 private college or university in Nebraska.
24 (2) A business may apply for up to two awards in any four-year
25 period per project. The department may provide up to one hundred thousand
26 dollars for the first phase of a project. If the first phase is
27 successful and agreed-upon contractual requirements are met during the
28 first phase, the department may provide up to four hundred thousand
29 dollars for the second phase of the project.
30 (3) Funds shall be matched by nonstate funds equivalent in money
31 equal to one hundred percent of the funds requested for both phases of
32 the project. Matching funds may be from any nonstate source, including
33 private foundations, federal or local government sources, quasi-
34 governmental entities, or commercial lending institutions, or any other
35 funds whose source does not include funds appropriated by the
36 Legislature.
37 (4) The department may award up to six four million dollars per year
38 for financial assistance under this section.
39 Sec. 11. Section 81-12,162, Revised Statutes Cumulative Supplement,
40 2020, is amended to read:
41 81-12,162 (1) The department shall establish a small business
42 investment program. The program:
43 (a) Shall provide grants to microloan delivery or microloan
44 technical assistance organizations to:
45 (i) Better assure that Nebraska's microenterprises are able to
46 realize their full potential to create jobs, enhance entrepreneurial
47 skills and activity, and increase low-income households' capacity to
48 become self-sufficient;
49 (ii) Provide funding to foster the creation of microenterprises;
50 (iii) Establish the department as the coordinating office for the
51 facilitation of microlending and microenterprise development;
52 (iv) Facilitate the development of a permanent, state-wide
53 infrastructure of microlending support organizations to serve Nebraska's
54 microenterprise and self-employment sectors;
55 (v) Enable the department to provide grants to community-based
56 microenterprise development organizations in order to encourage the
57 development and growth of microenterprises throughout Nebraska; and
58 (vi) Enable the department to engage in contractual relationships
59 with statewide microlending support organizations which have the capacity
60 to leverage additional nonstate funds for microenterprise lending.
61 To the maximum extent possible, the selection process should assure
62 that the distribution of such financial assistance provides equitable
63 access to the benefits of the Business Innovation Act by all geographic
64 areas of the state; and
65 (b) May identify and coordinate other state and federal sources of
66 funds which may be available to the department to enhance the state's
67 ability to facilitate financial assistance pursuant to the program.
68 (2) To establish the criteria for making an award to a microloan
69 delivery or microloan technical assistance organization, the department
70 shall consider:
71 (a) The plan for providing business development services and
72 microloans to microenterprises;
73 (b) The scope of services to be provided by the microloan delivery
74 or microloan technical assistance organization;
75 (c) The plan for coordinating the services and loans provided by the
76 microloan delivery or microloan technical assistance organization with
15 commercial lending institutions;
16 (d) The geographic representation of all regions of the state,
17 including both urban and rural communities and neighborhoods;
18 (e) The ability of the microloan delivery or microloan technical
19 assistance organization to provide for business development in areas of
20 chronic economic distress and low-income regions of the state;
21 (f) The ability of the microloan delivery or microloan technical
22 assistance organization to provide business training and technical
23 assistance to microenterprise clients;
24 (g) The ability of the microloan delivery or microloan technical
25 assistance organization to monitor and provide financial oversight of
26 recipients of microloans; and
27 (h) Sources and sufficiency of operating funds for the
28 microenterprise development organization.
29 (3) Awards made by the department to a microloan delivery or
30 microloan technical assistance organization may be used to:
31 (a) Satisfy matching fund requirements for other federal or private
1 grants;
2 (b) Establish a revolving loan fund from which the microloan
3 delivery or microloan technical assistance organization may make loans to
4 microenterprises;
5 (c) Establish a guaranty fund from which the microloan delivery or
6 microloan technical assistance organization may guarantee loans made by
7 commercial lending institutions to microenterprises;
8 (d) Provide funding for the operating costs of a microloan delivery
9 or microloan technical assistance organization not to exceed twenty
10 percent; and
11 (e) Provide grants to establish loan-loss reserve funds to match
12 loan capital borrowed from other sources, including federal
13 microenterprise loan programs.
14 (4) Any award of financial assistance to a microloan delivery or
15 microloan technical assistance organization shall meet the following
16 qualifications:
17 (a) Funds shall be matched by nonstate funds equivalent in money or
18 in-kind contributions or a combination of both equal to thirty-five
19 percent of the grant funds requested. Such matching funds may be from any
20 nonstate source, including private foundations, federal or local
21 government sources, quasi-governmental entities, or commercial lending
22 institutions, or any other funds whose source does not include funds
23 appropriated by the Legislature;
24 (b) Microloan funds shall be disbursed in microloans which do not
25 exceed one hundred thousand dollars or used to capitalize loan-loss
26 reserve funds for such loans; and
27 (c) A minimum of fifty percent of the microloan funds shall be used
28 by a microenterprise development assistance organization for small
29 business technical assistance.
30 The department shall contract with a statewide microenterprise
31 development assistance organization to carry out this section.
1 (5) Each year the department may award up to three million
2 dollars under this section.
3 Sec. 12. Original sections 81-12,157, 81-12,158, 81-12,159,
4 81-12,160, 81-12,161, and 81-12,162, Revised Statutes Cumulative
5 Supplement, 2020, are repealed.
6 2. Renumber the remaining section accordingly.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 773. Placed on Select File.
LEGISLATIVE BILL 809. Placed on Select File with amendment.

ER141
1 11. On page 1, strike beginning with "water" in line 1 through line 7
2 and insert "natural resources; to amend sections 71-5322, 81-1508.01, and
3 81-1511, Reissue Revised Statutes of Nebraska, and sections 37-455,
4 71-5318, 81-1504, 81-1505, 81-1532, 81-15,153, and 81-15,160, Revised
5 Statutes Cumulative Supplement, 2020; to redefine a term and to change
6 provisions relating to certain hunting permits under the Game Law; to
7 change provisions relating to a fund and powers and duties of the
8 Department of Environment and Energy under the Drinking Water State
9 Revolving Fund Act; to provide for powers and duties of the department
10 relating to the treatment of dredged and fill material under the
11 Environmental Protection Act; to establish a fund; to provide a penalty;
12 to change powers of the department under the Wastewater Treatment
13 Facilities Construction Assistance Act; to include cities of the first
14 class as grant recipients for certain reimbursement costs under the Waste
15 Reduction and Recycling Incentive Act; to harmonize provisions; and to
16 repeal the original sections."

LEGISLATIVE BILL 809A. Placed on Select File.

LEGISLATIVE BILL 800. Placed on Select File with amendment.

ER143
1 11. On page 1, strike beginning with "cities" in line 1 through line
2 22 and insert "government; to amend sections 13-2706, 14-102.01,
3 14-102.02, 14-104, 14-106, 14-107, 14-108, 14-110, 14-111, 14-112,
4 14-113, 14-115, 14-116, 14-118, 14-120, 14-121, 14-122, 14-123, 14-124,
5 14-125, 14-136, 14-201, 14-201.03, 14-202, 14-204, 14-205, 14-206,
6 14-207, 14-210, 14-211, 14-212, 14-213, 14-214, 14-215, 14-216,
7 14-217.02, 14-218, 14-219, 14-220, 14-221, 14-224, 14-225, 14-226,
8 14-227, 14-228, 14-229, 14-230, 14-360, 14-361, 14-362, 14-365,
9 14-365.01, 14-365.02, 14-365.03, 14-365.04, 14-365.05, 14-365.06,
10 14-365.07, 14-365.08, 14-365.09, 14-365.10, 14-365.11, 14-365.12,
11 14-365.13, 14-366, 14-367, 14-372, 14-373, 14-373.01, 14-373.02, 14-374,
12 14-375, 14-376, 14-383, 14-384, 14-385, 14-386, 14-387, 14-388, 14-389,
13 14-390, 14-391, 14-393, 14-394, 14-395, 14-396, 14-397, 14-399, 14-3,100,
14 14-3,101, 14-3,105, 14-3,108, 14-3,109, 14-3,111, 14-3,112, 14-3,113,
15 14-3,114, 14-3,115, 14-3,116, 14-3,117, 14-3,118, 14-3,119, 14-3,120,
16 14-3,121, 14-3,122, 14-3,123, 14-3,124, 14-3,125, 14-3,126, 14-3,128,
17 14-4,01, 14-4,02, 14-4,04, 14-405, 14-406, 14-408, 14-409, 14-410, 14-411,
18 14-412, 14-413, 14-414, 14-416, 14-417, 14-418, 14-501, 14-501.01,
19 14-503, 14-504, 14-505, 14-506, 14-507, 14-508, 14-509, 14-510, 14-511,
20 14-512, 14-513, 14-514, 14-515, 14-516, 14-517, 14-518, 14-519, 14-520,
21 14-521, 14-522, 14-523, 14-524, 14-525, 14-526, 14-527, 14-528, 14-529,
22 14-530, 14-531, 14-532, 14-533, 14-534, 14-535, 14-536, 14-538, 14-539,
23 14-540, 14-541, 14-542, 14-543, 14-544, 14-545, 14-546, 14-547, 14-548,
24 14-549, 14-550, 14-556, 14-557, 14-558, 14-559, 14-560, 14-562, 14-563,
25 14-564, 14-565, 14-566, 14-568, 14-601, 14-602, 14-603, 14-604, 14-605,
26 14-606, 14-609, 14-702, 14-704, 14-709, 14-804, 14-805, 14-806, 14-807,
27 14-808, 14-809, 14-810, 14-811, 14-812, 14-813, 14-814, 14-816, 14-817,
28 14-818, 14-820, 14-821, 14-822, 14-823, 14-824, 14-825, 14-826, 14-827,
29 14-828, 14-829, 14-830, 14-831, 14-832, 14-833, 14-834, 14-835, 14-836,
9 14-1718, 14-1719, 14-1721, 14-1722, 14-1723, 14-1724, 14-1725, 14-1726, 
10 14-1727, 14-1728, 14-1729, 14-1730, 14-1731, 14-1732, 14-1734, 14-1735, 
12 31-539, 31-540, 31-541, 31-735, and 77-2704.15, Reissue Revised Statutes 
13 of Nebraska, sections 13-2703, 13-2705, 13-2707, 13-2707.01, 13-2709, 
14 14-101, 14-101.01, 14-102, 14-103, 14-105, 14-109, 14-117, 14-363, 
15 14-364, 14-392, 14-398, 14-3,102, 14-3,103, 14-3,106, 14-3,107, 14-403, 
16 14-415, 14-419, 14-420, 14-502, 14-553, 14-567, 14-607, 14-1733, 
17 16-6,109, 19-414, 19-415, 19-5503, and 19-5504, Revised Statutes, 
18 Cumulative Supplement, 2020, and sections 14-137, 18-2705, and 77-3523, 
19 Revised Statutes Supplement, 2021; to define and redefine terms and 
20 authorize grants of assistance to tribal governments as prescribed under 
21 the Civic and Community Center Financing Act; to change provisions 
22 relating to city officers, elections, powers, duties, public 
23 improvements, subdividing and platting, consolidation of cities and 
24 villages, ordinances, planning and zoning, fiscal management, city 
25 departments, claims and awards, bridges, parking facilities, and landmark 
26 heritage preservation districts; to provide certain funding for the 
27 development and implementation of an affordable housing action plan as 
28 part of an economic development program under the Local Option Municipal 
29 Economic Development Act; to update a federal reference and change the 
30 contents of a report under the Municipal Density and Missing Middle 
31 Housing Act; to provide for distribution of funds and property and 
1 provide liability for debts and obligations upon discontinuance of 
2 certain sanitary drainage districts; to change the procedure for election 
3 of the board of trustees of a sanitary and improvement district as 
4 prescribed; to eliminate provisions relating to municipal coal yards, 
5 boards of public welfare, superintendancy of departments, and taxes and 
6 assessments; to harmonize provisions; to provide operative dates; to 
7 repeal the original sections; to outright repeal sections 14-114, 14-126, 
8 14-223, and 14-554, Reissue Revised Statutes of Nebraska; and to declare 
9 an emergency.".
10 2. On page 2, strike lines 1 through 31. 
11 3. On page 3, strike lines 1 through 4.

LEGISLATIVE BILL 750. Placed on Select File with amendment. 
ER140 is available in the Bill Room.

LEGISLATIVE BILL 344. Placed on Select File with amendment. 
ER144
1 1. In the Friesen amendment, AM1880, on page 3, line 8, after "law" 
2 insert an underscored comma; in line 12 after "witnesses" insert an 
3 underscored comma; and in line 14 after "decision" insert an underscored 
4 comma.
5 2. On page 1, strike beginning with "One-Call" in line 1 through 
6 line 8 and insert "State Fire Marshal; to amend section 81-502.03, 
7 Reissue Revised Statutes of Nebraska, and section 76-2325, Revised 
8 Statutes Cumulative Supplement, 2020; to change provisions relating to 
9 the One-Call Notification System Act; to change civil penalty procedures; 
10 to provide and change powers and duties for the State Fire Marshal; to 
11 repeal the original sections; and to outright repeal section 76-2325.02, 
12 Revised Statutes Cumulative Supplement, 2020.".

LEGISLATIVE BILL 344A. Placed on Select File.

(Signed) Terrell McKinney, Chairperson
AMENDMENT(S) - Print in Journal

Senator Clements filed the following amendment to LB1241:

FA126
Amend AM1273:
Create a New Section: It is the intent of the Legislature to appropriate five million dollars each fiscal year to the Nebraska Police Standards Advisory Council for purposes of carrying out the Law Enforcement Attraction and Retention Act.

Senator Clements filed the following amendment to LB1241:

AM2353
(Applications to E&R amendments, ER111)
1. Insert the following new sections:
2. Sec. 5. Sections 5 to 12 of this act shall be known and may be cited as the Law Enforcement Attraction and Retention Act.
3. Sec. 6. (1) The Legislature finds that:
5. (a) The State of Nebraska and cities and counties in this state have experienced a dramatic decrease in applications for law enforcement officer positions;
(b) Law enforcement officers in Nebraska are leaving the law enforcement profession;
(c) Law enforcement agencies are not retaining law enforcement officers at a rate sufficient to ensure public safety;
(d) Law enforcement officers are the critical element of public safety in Nebraska communities; and
(e) Maintaining a robust law enforcement workforce is in the best interests of all Nebraskans.
6. (2) The purpose of the Law Enforcement Attraction and Retention Act is to provide financial incentives to attract and retain law enforcement officers.
8. (3) For purposes of the Law Enforcement Attraction and Retention Act:
14. (1) Council means the Nebraska Police Standards Advisory Council;
15. and
16. (2) Law enforcement officer has the same meaning as in section
18. (3) To be eligible for a tier 1 retention incentive payment, a law enforcement officer must complete twelve months of full-time employment as a law enforcement officer after July 1, 2022. No law enforcement officer shall receive more than one tier 1 retention incentive payment.
19. (3) To be eligible for a tier 2 retention incentive payment, a law enforcement officer must complete three years of full-time employment as a law enforcement officer after July 1, 2022. No law enforcement officer shall receive more than one tier 2 retention incentive payment.
20. (4) To be eligible for a tier 3 retention incentive payment, a law enforcement officer must complete five years of full-time employment as a law enforcement officer after July 1, 2022. No law enforcement officer shall receive more than one tier 3 retention incentive payment.
21. (5) Full-time law enforcement officers employed by a law enforcement agency that employs more than seventy-five full-time law enforcement officers shall only be eligible for a tier 1 retention incentive payment.
22. and such payment shall be seven hundred fifty dollars.
23. (6) For full-time law enforcement officers employed by a law enforcement agency that employs seventy-five or fewer full-time law enforcement officers:
24. (a) The tier 1 retention incentive payment shall be one thousand five hundred dollars;
The tier 2 retention incentive payment shall be two thousand five hundred dollars; and

The tier 3 retention incentive payment shall be three thousand dollars.

Sec. 9. (1) The council shall accept applications for grants from law enforcement agencies in Nebraska. The grants shall be used to provide hiring bonuses to newly hired full-time law enforcement officers.

(2) A law enforcement agency shall be eligible for a grant under this section if:

(a) The law enforcement agency employs fewer than one hundred fifty full-time law enforcement officers; and

(b) The law enforcement agency is not at the recommended level of staffing under standards set by the council.

Sec. 10. The council may adopt and promulgate rules and regulations to carry out the Law Enforcement Attraction and Retention Act.

Sec. 11. It is the intent of the Legislature to appropriate five million dollars each fiscal year to the council for purposes of carrying out the Law Enforcement Attraction and Retention Act.

Sec. 12. The Law Enforcement Attraction and Retention Act terminates on June 30, 2028.

Sections 5, 6, 7, 8, 9, 10, 11, and 12 of this act become operative on July 1, 2022. The other sections of this act become operative on their effective date.

2. Renumber the remaining sections accordingly.

GENERAL FILE

LEGISLATIVE BILL 661. Title read. Considered.

Committee AM612, found on page 656, First, Session, 2021, was adopted with 34 ayes, 2 nays, 7 present and not voting, and 6 excused and not voting.

Pending.

ANNOUNCEMENT

Senator Brewer announced the Government, Military and Veterans Affairs Committee will hold an executive session Tuesday, March 15, 2022, at 3:00 p.m., under the South Balcony.

Senator B. Hansen announced the Business and Labor Committee will hold an executive session Tuesday, March 15, 2022, at 12:00 p.m., in Room 1525.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator M. Hansen name added to LB29.
Senator Bostar name added to LB1184.
AMENDMENT(S) - Refile in Journal

Senator Morfeld refiled his amendment, AM2297, found on page 802 and withdrawn on page 812, to LB773.

VISITOR(S)

Visitors to the Chamber were fourth-grade students and their teachers from Fullerton Elementary School, Fullerton; and fourth-grade students and their teachers from William Dale Elementary, Omaha.

ADJOURNMENT

At 5:12 p.m., on a motion by Senator DeBoer, the Legislature adjourned until 9:00 a.m., Tuesday, March 15, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
FORTY-SECOND DAY - MARCH 15, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

FORTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 15, 2022

PRAYER

The prayer was offered by Phani Tej Adidam, Hindu Temple Omaha, Omaha.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Dorn.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Williams presiding.

The roll was called and all members were present except Senators Bostar, Day, Hughes, Hunt, Lathrop, Lindstrom, Vargas and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-first day was approved.
NOTICE OF COMMITTEE HEARING(S)
Health and Human Services
Room 1510 9:00 AM

Monday, April 11, 2022
Hearing on the Community Block Grant State Plan by the Department of Health and Human Services.

Tuesday, March 22, 2022
Jeffrey Wallman - Nebraska Rural Health Advisory Commission
Douglas A. Bauer - State Board of Health
Joshua M. Vest - State Board of Health
Frances Beaurivage - Commission for the Deaf and Hard of Hearing
Michael A. Greene - Nebraska Rural Health Advisory Commission
Douglas Vander Broek - State Board of Health
Sandra Shaw - Commission for the Deaf and Hard of Hearing
Brooke J. Fitzpatrick - Commission for the Deaf and Hard of Hearing

(Signed) John Arch, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1012. Title read. Considered.

Committee AM2000, found on page 812, was offered.

Senator Friesen offered the following amendment to the committee amendment:
AM2344 (Amendments to Standing Committee amendments, AM2000)
1 1. Strike section 5.
2 2. Renumber the remaining sections and correct internal references
3 accordingly.

SPEAKER HILGERS PRESIDING

SENATOR WILLIAMS PRESIDING

Pending.

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB1013:
AM2362 (Amendments to Standing Committee amendments, AM2001)
1 1. On page 4, after line 3 insert the following new subsection:
2 "(17) The State Treasurer shall transfer five million dollars from
3 the Cash Reserve Fund to the Chief Standing Bear Documentary Fund on or
4 before June 30, 2022, on such dates and in such amounts as directed by
5 the budget administrator of the budget division of the Department of
6 Administrative Services.
"
Senator Wayne filed the following amendment to LB1011:
AM2361  
(Amendments to Standing Committee amendments, AM1999)
1 1. On page 29, line 14, strike "8,669" and insert "5,008,669"; and
2 after line 17 insert:
3 "There is included in the appropriation to this program for
4 FY2022-23 $5,000,000 Cash Funds for state aid, which shall only be used
5 for such purpose. Such funds shall be utilized by the Nebraska State
6 Historical Society for the purposes and eligible uses of the Chief
7 Standing Bear Documentary Fund."

RECESS

At 11:56 a.m., on a motion by Senator Wishart, the Legislature recessed
until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Foley presiding.

ROLL CALL

The roll was called and all members were present except Senators
Bostelman, M. Cavanaugh, Day, B. Hansen, Hunt, Lathrop, Lindstrom, and
McCollister who were excused until they arrive.

AMENDMENT(S) - Print in Journal

Senator Lathrop filed the following amendment to LB519:
AM2311  
(Amendments to E and R amendments, ER138)
1 1. On page 3, line 2, strike "crime of violence" and insert "sexual
2 assault".

Senator Brandt filed the following amendment to LB741:
AM2309 is available in the Bill Room.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 318, 319, and 320 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business,
the President signed the following: LRs 318, 319, and 320.

GENERAL FILE

LEGISLATIVE BILL 1012. Committee AM2000, found on page 812, and
considered in this day's Journal, was renewed.
The Friesen amendment, AM2344, found and considered in this day's Journal, was renewed.

The Friesen amendment was withdrawn.

Senator Friesen offered the following amendment:

AM2345

(Amendments to Standing Committee amendments, AM2000)

2. Renumber the remaining sections and correct internal references accordingly.

The Friesen amendment was withdrawn.

Pending.

COMMITTEE REPORT(S)
Business and Labor

LEGISLATIVE BILL 1084. Placed on General File.

LEGISLATIVE BILL 1083. Placed on General File with amendment. AM2142

1. Strike original section 2 and insert the following new section:

2 Sec. 2. The following sums of money, or so much thereof as may be required, are hereby appropriated from the General Fund or from other funds as indicated in the state treasury, not otherwise appropriated, for the payment of workers' compensation claims which have been settled by the Attorney General in the Nebraska Workers' Compensation Court or in which a court judgment has been entered and which require the approval of the Legislature for payment.

$125,000.00 for a workers' compensation claim, pay to Rick Haave, Dowling, Dowling, Dowling and Urbom, 201 N. 8th Street, Suite 242, P.O. Box 83103, Lincoln, Nebraska 68501, out of the Workers' Compensation Claims Revolving Fund.

$100,000.00 for a workers' compensation claim, pay to Kenneth Rezac and Nicholas Jantzen, Jantzen Law Office, P.C. LLO, 301 S. 70th Street, Suite T50, Lincoln, Nebraska 68510, out of the Workers' Compensation Claims Revolving Fund.

$150,000.00 for a workers' compensation claim, pay to Michael Krafka and Shasteen, Morris, and Ockander, P.C., L.L.O., 7441 O Street, Suite 105, Lincoln, Nebraska 68510, out of the Workers' Compensation Claims Revolving Fund.

$50,000.00 for a workers' compensation claim, pay to Billy Maxwell and Travis Spier, Atwood, Holsten, Brown, Deaver, Spier and Israel Law Firm, P.C., L.L.O., 575 Fallbrook Boulevard, Suite 206, Lincoln, Nebraska 68521, out of the Workers' Compensation Claims Revolving Fund.

The claims included in this section shall be paid through Program 593 in Agency 65. For informational purposes only, the appropriations contained in this section and fund source:

<table>
<thead>
<tr>
<th>FUND SOURCE</th>
<th>DOLLAR AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>GENERAL FUND</td>
<td>$-0-</td>
</tr>
<tr>
<td>CASH FUND</td>
<td>$0-</td>
</tr>
<tr>
<td>REVOLVING FUND</td>
<td>$425,000.00</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$425,000.00</td>
</tr>
</tbody>
</table>

2. On page 4, line 19, strike "$254,728.26" and insert "$177,211.53".
LEGISLATIVE BILL 1130. Placed on General File with amendment.

AM2206
1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 48-3704, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 48-3704 (1) The Department of Labor shall execute a memorandum of
6 understanding with the Nebraska Statewide Workforce and Education
7 Reporting System before December 31, 2020, to ensure the exchange of
8 available Department of Labor data throughout the prekindergarten to
9 postsecondary education to workforce continuum, and may utilize data and
11 (2) On or before December 1, 2022, and on or before each December 1
12 thereafter, the Nebraska Statewide Workforce and Education Reporting
13 System shall issue a report electronically to the Clerk of the
14 Legislature and the Governor. Such report shall provide an overview of
15 research and analysis conducted, additional data needs for future
16 analysis, and organizational structure and need. The Nebraska Statewide
17 Workforce and Education Reporting System shall issue a report
18 electronically to the Clerk of the Legislature on or before December 1,
19 2021. Such report shall make recommendations on the planning and
20 development of the Nebraska Statewide Workforce and Education Reporting
21 System, including, but not limited to, additional data and stakeholder
22 needs and potential future funding.
23 Sec. 2. Original section 48-3704, Reissue Revised Statutes of
24 Nebraska, is repealed.

(Signed) Ben Hansen, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 331. Introduced by Albrecht, 17.

WHEREAS, the 2022 Nebraska School Activities Association State
Wrestling Tournament was held from February 17 through February 19 at
the CHI Health Center Omaha; and
WHEREAS, for the first time ever, there was a dedicated bracket for high
school girls at the tournament; and
WHEREAS, South Sioux City High School is the first school in the State
of Nebraska to win the Girls State Wrestling Championship; and
WHEREAS, the South Sioux City Lady Cardinals wrestling team have
made history for their school; and
WHEREAS, the Legislature recognizes the academic, athletic, and artistic
achievements of the youth of our state.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE
ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND
SESSION:
1. That the Legislature recognizes and congratulates the South Sioux City
High School girls wrestling team as the first ever to win the Girls State
Wrestling Championship.
2. That a copy of this resolution be sent to the South Sioux City High
School.

Laid over.
Senator Wayne filed the following amendment to LB1024: AM2341 is available in the Bill Room.

GENERAL FILE

LEGISLATIVE BILL 1012. Senator Wayne offered the following amendment:
AM2360
(Amendments to Standing Committee amendments, AM2000)
1 1. Insert the following new section:
2 Sec. 3. The Chief Standing Bear Documentary Fund is created. The
3 Nebraska State Historical Society shall administer the fund to produce a
4 documentary on Chief Standing Bear. The fund shall consist of transfers
5 authorized by the Legislature and any gifts, grants, or bequests for such
6 purposes from any source, including federal, state, public, and private
7 sources. Any money in the fund available for investment shall be invested
8 by the state investment officer pursuant to the Nebraska Capital
9 Expansion Act and the Nebraska State Funds Investment Act.
10 2. Renumber the remaining sections and correct internal references
11 accordingly.

SPEAKER HILGERS PRESIDING

The Wayne amendment was withdrawn.

Senator Wayne offered the following amendment:
FA127
Amend AM2000:
1. Page 8 line 9 strike "fifteen" and insert "five".
2. Page 8 line 15 strike "fifteen" and insert "five".

The Wayne amendment was withdrawn.

Senator Wayne offered the following amendment:
FA129
Amend AM2000:
Page 5 line 27 strike "fifty" and insert "twenty-five"

SENATOR WILLIAMS PRESIDING

The Wayne amendment was withdrawn.

Pending.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 1102. Placed on Select File with amendment.
ER142 is available in the Bill Room.
LEGISLATIVE BILL 1102A. Placed on Select File.
LEGISLATIVE BILL 283. Placed on Select File.
LEGISLATIVE BILL 779. Placed on Select File.
LEGISLATIVE BILL 808. Placed on Select File.
LEGISLATIVE BILL 1092. Placed on Select File.
LEGISLATIVE BILL 1204. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

AMENDMENT(S) - Print in Journal

Senator Morfeld filed the following amendment to LB1011:

AM2375
(AMENDMENTS TO STANDING COMMITTEE AMENDMENTS, AM1999)

1. Insert the following new section:
2. Sec. 83. AGENCY NO. 27 — DEPARTMENT OF TRANSPORTATION
3. Program No. 305 - Assistance to Local Transit Authorities
4. FY2021-22 FY2022-23
5. GENERAL FUND 500,000 0
6. PROGRAM TOTAL 500,000 0
7. The Department of Transportation shall use the funds appropriated in this section to conduct a feasibility study for a high-speed commuter rail service between Omaha and Lincoln. Such study shall include cost estimates, timelines, and economic impacts for the creation of such service.
8. 2. Renumber the remaining sections and correct internal references accordingly.

Senator Morfeld filed the following amendment to LB1011:

AM2372
(AMENDMENTS TO STANDING COMMITTEE AMENDMENTS, AM1999)

1. Insert the following new section:
2. Sec. 80. AGENCY NO. 25 — DEPARTMENT OF HEALTH AND HUMAN SERVICES
3. Program No. 502 - Public Health Aid
4. FY2021-22 FY2022-23
5. GENERAL FUND 500,000 0
6. PROGRAM TOTAL 500,000 0
7. There is included in the appropriation to this program for FY2021-22 $500,000 General Funds for state aid, which shall only be used for such purpose.
8. There is included in the amount shown as aid for this program for FY2021-22 $500,000 General Funds for the Human Immunodeficiency Virus (HIV) Surveillance and Prevention Programs for education on the benefits of preexposure prophylaxis medication and for the costs of medication.
9. 2. Renumber the remaining sections and correct internal references accordingly.

Senator Morfeld filed the following amendment to LB1014:

AM2373

1. Insert the following new section:
2. Sec. 14. AGENCY NO. 25 — DEPARTMENT OF HEALTH AND HUMAN SERVICES
3. Program No. 502 - Public Health Aid
4. FY2021-22 FY2022-23
5. FEDERAL FUND est. 500,000 0
6. PROGRAM TOTAL 500,000 0
7. There is included in the appropriation to this program for FY2021-22
8 $500,000 Federal Funds estimate for state aid, which shall only be used
9 for such purpose.
10 There is included in the amount shown as aid for this program for
11 FY2021-22 $500,000 Federal Funds for the Human Immunodeficiency Virus
12 (HIV) Surveillance and Prevention Programs for education on the benefits
13 of preexposure prophylaxis medication and for the costs of medication.
14 2. Renumber the remaining sections and correct internal references
15 accordingly.

Senator Wayne filed the following amendment to LB1013:

AM2383

(Amendments to Standing Committee amendments, AM2001)
1 1. On page 4, after line 3 insert the following new subsection:
2 "(17) The State Treasurer shall transfer two hundred twenty-five
3 million dollars from the Cash Reserve Fund to the Economic Recovery Fund
4 on or before June 30, 2022, on such dates and in such amounts as directed
5 by the budget administrator of the budget division of the Department of
6 Administrative Services."

RESOLUTION(S)

LEGISLATIVE RESOLUTION 332. Introduced by Bostar, 29.

WHEREAS, Nebraskans for the Arts annually presents the NebraskARTS
Award which recognizes select schools or school districts that make notable
and worthwhile contributions to the arts and arts education in the State of
Nebraska; and

WHEREAS, Sheridan Elementary School demonstrates a high education
standard and provides all its students the opportunity to enjoy, excel, and
learn through the arts; and

WHEREAS, Sheridan Elementary School provides numerous
opportunities for students to improve their craft and share their talent and
hard work with their school community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic
achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE
ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND
SESSION:

1. That the Legislature congratulates Sheridan Elementary School for
receiving the 2021-22 NebraskARTS Award.
2. That a copy of this resolution be sent to the Sheridan Elementary
School principal on behalf of the school's students, teachers, staff, and
parents.

Laid over.

LEGISLATIVE RESOLUTION 333. Introduced by McDonnell, 5.

PURPOSE: The purpose of this resolution is to propose an interim study to
examine modernization of Nebraska's tax system with the goal of
facilitating economic growth. The study shall include, but not be limited to,
an examination of the following:
The current structure of personal and corporate income tax;
(2) The current structure of sales tax;
(3) The current structure of tax incentives;
(4) The current structure of the inheritance tax;
(5) The current structure of the personal property tax; and
(6) Recommendations to modify these components in a means that is revenue neutral.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Revenue Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

GENERAL FILE

LEGISLATIVE BILL 1012. Senator Wayne offered the following amendment:

AM2382

(Amendments to Standing Committee amendments, AM2000)

1 1. On page 14, strike lines 14 through 16 and insert the following
2 new subsection:
3 "(12) The department, or any entity with which the department
4 contracts for such purpose, may use up to five percent of any
5 appropriation to carry out sections 81-1210.01 to 81-1210.03 for
6 administrative services."

The Wayne amendment was withdrawn.

Senator Wayne offered the following motion:

MO158

Recommit to Appropriations Committee.

Senator Wayne moved for a call of the house. The motion prevailed with 26 ayes, 3 nays, and 20 not voting.

Senator Wayne withdrew his motion to recommit to committee.

Senator Stinner offered the following motion:

MO157

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Stinner requested a roll call vote, in reverse order, on the motion to invoke cloture.

Voting in the affirmative, 38:
Voting in the negative, 1:

Moser

Present and not voting, 9:

Cavanaugh, J.  Day  Hansen, M.  Linehan  Wayne
Cavanaugh, M.  Friesen  Hunt  McKinney

Excused and not voting, 1:

Pahls

The Stinner motion to invoke cloture prevailed with 38 ayes, 1 nay, 9 present and not voting, and 1 excused and not voting.

Committee AM2000, found on page 812, and considered in this day's Journal, was adopted with 41 ayes, 2 nays, 5 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 2 nays, 8 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

**AMENDMENT(S) - Print in Journal**

Senator Wayne filed the following amendment to LB1013:

**FA130**
Amend AM2001: strike "fifty" and insert "twenty-five" on page 3, line 30.

Senator M. Hansen filed the following amendment to LB1013:

**FA132**
Amend AM2001: Page 3 line 15 strike "twenty" and insert "thirty"

Senator Wayne filed the following amendment to LB1013:

**AM2385**
(Amendments to Standing Committee amendments, AM2001)

1 1. On page 4, after line 3 insert the following new subsection:
2 "(17) The State Treasurer shall transfer five million dollars from
Senator Wayne filed the following amendment to LB1011:

**FA131**

Amend AM1999:
1. Page 20 line 20 strike $50,001,764 and insert $25,001,764.
3. Page 20 line 24 strike $50,000,000 and insert $25,000,000.
4. Page 20 line 27 strike $50,000,000 and insert $25,000,000.

Senator Friesen filed the following amendment to LB1012:

**AM2351**

(Amendments to Standing Committee amendments, AM2000)
2. Renumber the remaining sections and correct the repealer and internal references accordingly.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 334.** Introduced by Jacobson, 42; Aguilar, 35; Albrecht, 17; Arch, 14; Blood, 3; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Day, 49; DeBoer, 10; Dorn, 30; Erdman, 47; Flood, 19; Friesen, 34; Geist, 25; Gragert, 40; Halloran, 33; Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hilkemann, 4; Hughes, 44; Hunt, 8; Koltermann, 24; Lathrop, 12; Lindstrom, 18; Linehan, 39; Lowe, 37; McCollister, 20; McDonnell, 5; McKinney, 11; Morfeld, 46; Moser, 22; Murman, 38; Pahls, 31; Pansing Brooks, 28; Sanders, 45; Slama, 1; Stinner, 48; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, St. Patrick Catholic High School in North Platte won the 2022 Class D-1 Boys State Basketball Championship; and
WHEREAS, the St. Patrick Catholic Irish finished the season with a 26 and 2 record after defeating Loomis High School in the championship game by a score of 65 to 57; and
WHEREAS, this is the first title for the Irish since 1928; and
WHEREAS, such a team achievement is made possible through the support of parents, teachers, administrators, classmates, and the community; and
WHEREAS, the players, students, and fans of St. Patrick Catholic High School Basketball have been awarded the Class D Sportsmanship Award; and
WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature recognizes and congratulates the St. Patrick Catholic High School boys basketball team on winning the 2022 Class D-1 Boys State Basketball Championship.
2. That the Legislature recognizes and congratulates the players, students, and fans of St. Patrick Catholic High School Basketball for their award winning sportsmanship.
3. That copies of this resolution be sent to the St. Patrick Catholic High School boys basketball team.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 1011. Title read. Considered.

SENATOR ARCH PRESIDING

Committee AM1999, found on page 812, was offered.

Senator Lathrop offered his amendment, FA74, found on page 772, to the committee amendment.

Pending.

ANNOUNCEMENT

Senator Bostelman announced the Natural Resources Committee will hold an executive session immediately following the conclusion of their hearing tomorrow, March 16, 2022.

VISITOR(S)

Visitors to the Chamber were fourth-grade students and their teachers from Elmwood Elementary School, Elmwood; TeenPact Nebraska from across the state; fourth-grade students and their teachers from St. Columbkille, Papillion; fourth-grade students and their teachers from Cottonwood Elementary School, Omaha; and sixth-grade students and their teachers from Tri-County Schools, DeWitt.

The Doctor of the Day was Dr. Steven M. Williams of Omaha.

ADJOURNMENT

At 7:57 p.m., on a motion by Senator Hughes, the Legislature adjourned until 9:00 a.m., Wednesday, March 16, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
FORTY-THIRD DAY - MARCH 16, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

FORTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, March 16, 2022

PRAYER

The prayer was offered by Senator Clements.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Erdman.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Hilgers presiding.

The roll was called and all members were present except Senators Bostar, Bostelman, M. Cavanaugh, Day, B. Hansen, M. Hansen, Hunt, Lindstrom, Morfeld, Pansing Brooks, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-second day was approved.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 321, 322, 323, 324, 325, and 326 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 321, 322, 323, 324, 325, and 326.
GENERAL FILE

LEGISLATIVE BILL 1011. Considered.

Committee AM1999, found on page 812, and considered on page 866, was renewed.

Senator Lathrop renewed his amendment, FA74, found on page 772 and considered on page 866, to the committee amendment.

SENATOR WILLIAMS PRESIDING

Pending.

CONFLICT OF INTEREST STATEMENT

Pursuant to Rule 1, Sec. 19, Senator Morfeld has filed a Potential Conflict of Interest Statement under the Nebraska Political Accountability and Disclosure Act. The statement is on file in the Clerk of the Legislature's Office.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 335. Introduced by Education Committee: Walz, 15, Chairperson; Day, 49; Linehan, 39; McKinney, 11; Morfeld, 46; Murman, 38; Pansing Brooks, 28; Sanders, 45.

WHEREAS, high state educational attainment is strongly correlated with higher state gross domestic product, higher per capita income, greater labor force participation, greater civic participation, improved health outcomes, and high quality of life; and

WHEREAS, projections are that at least seventy percent of Nebraska's jobs will soon require a degree, certificate, diploma, or other postsecondary or industry credential with economic value in the workforce; and

WHEREAS, Nebraska's current educational attainment, including degrees, certificates, diplomas, and other postsecondary and industry credentials with economic value is approximately fifty-eight percent for Nebraskans age 25 to 34, and approximately fifty-five percent for Nebraskans age 25 to 64; and

WHEREAS, Nebraska is in competition with other states and nations to develop, attract, and retain businesses and industries that require highly skilled employees and pay high wages; and

WHEREAS, most states, including neighboring states, have set ambitious educational attainment goals to reach social and economic development aspirations and use those educational attainment goals to inform education and workforce development policies; and

WHEREAS, state educational attainment goals can focus and organize a myriad of strategies related to workforce development and deployment, economic diversification and innovation, and promotion of diversity and inclusion; and
WHEREAS, state educational attainment goals help state officials, colleges and universities, elementary and secondary schools, employers, and philanthropic and community organizations establish a shared agenda and measure progress at regular intervals; and
WHEREAS, a state educational attainment goal is in the spirit, and touches every aspect, of Nebraskans' aspirations for job growth, vibrant communities, attracting and retaining young people, income growth, and growth in innovation.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature declares it is the goal of the State of Nebraska that at least seventy percent of 25 to 34 year-old Nebraskans have a degree, certificate, diploma, or other postsecondary or industry-recognized credential with economic value by 2030.

2. That the Legislature encourages the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, the Board of Governors of each community college area, the State Board of Education, and the Coordinating Commission for Postsecondary Education to adopt the seventy percent attainment goal as evidence of their support for such goal.

3. That the Legislature recognizes the strong contributions of Nebraska's private and parochial schools and independent colleges and universities to the educational attainment of Nebraskans and encourages their support of the seventy percent attainment goal.

4. That the Legislature finds that disparities in educational attainment impede individual and collective well-being and prosperity and must be reduced and eliminated to meet a seventy percent attainment goal.

5. That the Legislature declares that certain fields of study, including science, technology, engineering, manufacturing, agriculture, healthcare, and teaching, have particular strategic importance for the state's ongoing prosperity and encourages schools, colleges, universities, businesses, and community partners to join with the state to increase credential attainment in those fields.

6. That the Legislature encourages recent Nebraska high school graduates to continue their education in Nebraska postsecondary institutions and commends Nebraska postsecondary institutions for their efforts to enroll students from outside the state as a means of meeting the state's goal of growing a larger and more highly educated workforce.

7. That the Legislature encourages the Coordinating Commission for Postsecondary Education to incorporate the seventy percent attainment goal into the comprehensive statewide plan for postsecondary education required under Article VII, section 14, of the Constitution of the State of Nebraska and report on progress toward the goal in the annual report to the Legislature required by section 85-1429.

Laid over.

LEGISLATIVE RESOLUTION 336. Introduced by Hilkemann, 4; Day, 49; Lathrop, 12; Lindstrom, 18; Linehan, 39; McCollister, 20; Pahls, 31; Walz, 15.
WHEREAS, the 2022 Nebraska School Activities Association State Basketball Tournament was held from March 7 through March 12 at Pinnacle Bank Arena in Lincoln; and
WHEREAS, the Millard North High School boys basketball team won the 2022 Class A Boys State Basketball Championship; and
WHEREAS, Coach Tim Cannon and the Millard North Mustangs' outstanding efforts and performance enabled them to win the championship; and
WHEREAS, Senior David Harmon scored a career-high 28 points to lead his fellow Mustangs to a 67-57 victory over Bellevue West; and
WHEREAS, this is the second consecutive Class A state title in boys basketball for Millard North; and
WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature recognizes and congratulates Coach Tim Cannon, Senior David Harmon, and the rest of the boys basketball team of Millard North High School for winning their second consecutive Class A Boys State Basketball Championship.
2. That copies of this resolution be sent to Coach Tim Cannon and Millard North High School.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 1011. Senator Lathrop renewed his amendment, FA74, found on page 772 and considered on page 866 and in this day's Journal, to the committee amendment.

SPEAKER HILGERS PRESIDING

Pending.

CEREMONIES

The Speaker introduced a group from the Nebraska Association of Former State Legislators.

GENERAL FILE

LEGISLATIVE BILL 1011. Senator Lathrop renewed his amendment, FA74, found on page 772 and considered on page 866 and in this day's Journal, to the committee amendment.

Pending.
AMENDMENT(S) - Print in Journal

Senator Geist filed the following amendment to LB920: AM2337 is available in the Bill Room.

Senator Geist filed the following amendment to LB920: AM2354 is available in the Bill Room.

Senator Geist filed the following amendment to LB920: AM2355 is available in the Bill Room.

Senator Geist filed the following amendment to LB920: AM2367
(Amendments to AM2354)

1 1. On page 1, line 7, strike the comma after "adult".

Senator Geist filed the following amendment to LB920: AM2368
(Amendments to AM2355)

1 1. On page 1, line 25, strike the comma after "reentry".

MOTION(S) - Print in Journal

Senator Albrecht filed the following motion to LB933: MO159
Place on General File pursuant to Rule 3, Section 20(b).

SPEAKER'S MAJOR PROPOSAL

March 16, 2022

Patrick O'Donnell
Clerk of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. O'Donnell:

Please be advised that pursuant to Rule 1, Section 17, the Executive Board has approved Speaker Hilgers' request that LB1014 be designated as a 2022 Speaker's Major Proposal.

Sincerely,
(Signed) Senator Dan Hughes
Chair, Executive Board

RECESS

At 12:01 a.m., on a motion by Senator Hunt, the Legislature recessed until 1:30 p.m.
AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Foley presiding.

ROLL CALL

The roll was called and all members were present except Senators Arch, Friesen, Geist, B. Hansen, Hilkemann, Koltermann, Lindstrom, McCollister, Morfeld, Pansing Brooks, Vargas, and Walz who were excused until they arrive.

SELECT FILE

LEGISLATIVE BILL 1073. ER137, found on page 824, was adopted.

Advanced to Enrollment and Review for Engrossment.

UNANIMOUS CONSENT - Expedite LB1073

Speaker Hilgers asked unanimous consent to expedite LB1073. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 1011. Committee AM1999, found on page 812, and considered in this day's Journal, was renewed.

Senator Lathrop renewed his amendment, FA74, found on page 772, and considered in this day's Journal, to the committee amendment.

The Lathrop amendment was withdrawn.

Pending.

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB1011:

AM2395 (Amendments to Standing Committee amendments, AM1999)
1. On page 24, lines 25 and 26, strike ",-0-" and insert ",500,000,000-";
2. and in line 29 after "program" insert "for FY2021-22";
3. On page 25, after line 4 insert:
4. "The Game and Parks Commission is hereby authorized to contract with a nonprofit organization to provide drainage and flooding work and building repairs for the Mayhew Cabin state historical site with the appropriation of $500,000 Cash Funds in this section to this program for FY2022-23.".
Senator Wayne filed the following amendment to LB29: AM2390
1. Insert the following new section:
2 Sec. 4. Since an emergency exists, this act takes effect when
3 passed and approved according to law.
4. On page 2, line 16; and page 3, line 5, after "Juneteenth" insert
5. "National Independence Day".

Senator Erdman filed the following amendment to LB283: AM2377
1. Strike original sections 2 and 3 and insert the following new
2 sections:
3 Sec. 2. Section 49-1301, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 49-1301 (1) Except as provided in subsection (2) of this section,
6 the standard time of the State of Nebraska shall be the time
7 established by the Uniform Time Act of 1966 in both the central central
8 and mountain Rocky Mountain time zones. Beginning January 1, 2023,
9 Nebraska shall remain on standard time until the United States Congress
10 enacts a law adopting permanent daylight saving time.
11 (2)(a) Upon the United States Congress enacting a law adopting
12 permanent daylight saving time, the standard time for the State of
13 Nebraska shall be, in the central time zone, the Coordinated Universal
14 Time minus five hours and, in the mountain time zone, the Coordinated
15 Universal Time minus six hours.
16 (b) For purposes of this subsection, Coordinated Universal Time
17 means the time scale maintained through the General Conference of Weights
18 and Measures and interpreted or modified for the United States by the
19 United States Secretary of Commerce in coordination with the United
20 States Secretary of the Navy.
21 Sec. 3. Section 49-1302, Reissue Revised Statutes of Nebraska, is
22 amended to read:
23 49-1302 Until January 1, 2023, daylight saving Daylight time for
24 the State of Nebraska shall be in effect from the second last Sunday in
25 March April until the first last Sunday in November October of each year
26 at such clock time as is prescribed in the Uniform Time Act of 1966.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR335 was referred to the Reference Committee.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR Committee
LR335 Education

(Signed) Dan Hughes, Chairperson
Executive Board
GENERAL FILE

LEGISLATIVE BILL 1011. Senator Lathrop offered his amendment, FA75, found on page 772, to the committee amendment.

Pending.

AMENDMENT(S) - Print in Journal

Senator Dorn filed the following amendment to LB707:

AM2405

(Amendments to Standing Committee amendments, AM1859)

1 1. Insert the following new sections:
2 2. Sec. 59. Section 81-887.03, Reissue Revised Statutes of Nebraska, is amended to read:
3 3. All auctioneers of any state shall comply Nothing contained in sections 81-887.01 to 81-887.03 shall be construed to permit
4 any person to conduct a sale of real estate without first complying with
5 the requirements of the Nebraska Real Estate License Act before
6 conducting a sale of real estate in this state.
7 81-887.03.
8 11. Insert the following new sections:
9 2. Sec. 59. Section 81-887.03, Reissue Revised Statutes of Nebraska, is amended to read:
10 3. All auctioneers of any state shall comply Nothing contained in sections 81-887.01 to 81-887.03 shall be construed to permit
11 any person to conduct a sale of real estate without first complying with
12 the requirements of the Nebraska Real Estate License Act before
13 conducting a sale of real estate in this state.
14 81-887.03.
15 3. Renumber the remaining sections and correct internal references
16 and the repealer accordingly.

Senator Hughes filed the following amendment to LB805A:

AM2396

1 1. On page 2, line 2, strike "the General Fund" and insert "Federal Funds"; in line 5 after the period insert "The Federal Funds appropriated
2 in this section are from the funds allocated to the State of Nebraska
3 from the federal Coronavirus State Fiscal Recovery Fund pursuant to the
4 federal American Rescue Plan Act of 2021, 42 U.S.C. 802, as amended";
5 and in line 9 strike "General" and insert "Federal".

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 1184. Placed on Select File.
LEGISLATIVE BILL 1165. Placed on Select File.
LEGISLATIVE BILL  29. Placed on Select File.
LEGISLATIVE BILL  855. Placed on Select File.

LEGISLATIVE BILL 905. Placed on Select File with amendment.

ER145

1 1. In the Standing Committee amendments, AM1609:
2 a. On page 1, line 17, strike "Post-natal" and insert "Postnatal";
3 b. On page 2, line 18, after "and" insert an underscored comma; and
4 in line 25 strike "; and" and insert "; and;
5 c. On page 3, line 16, strike "Post-natal" and insert "Postnatal";
6 d. On page 4, line 12, after "and" insert an underscored comma; and
8 in line 19 strike ", and" and insert "and, ".
9 2. On page 1, strike beginning with "the" in line 1 through line 4
10 and insert "health care; to amend sections 38-201 and 38-203, Reissue
11 Revised Statutes of Nebraska, and sections 38-2001 and 38-2002, Revised
12 Statutes Cumulative Supplement, 2020; to provide for perinatal mental
13 health screenings under the Advanced Practice Registered Nurse Practice
14 Act and the Medicine and Surgery Practice Act; to define terms; to
15 harmonize provisions; and to repeal the original sections.").

(Signed) Terrell McKinney, Chairperson

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 1073. Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Education
Room 1525 12:15 PM

Wednesday, March 23, 2022
LR335

(Signed) Lynne Walz, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 337. Introduced by Briese, 41.

PURPOSE: The purpose of this resolution is to propose an interim study to
examine laws relating to brand registration of alcoholic beverages of all
types and varieties, and the submission of certificates of labeling approval
as required by the federal government.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE
ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND
SESSION:
1. The General Affairs Committee of the Legislature shall be designated
to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report
of its findings, together with its recommendations, to the Legislative
Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 338. Introduced by Briese, 41.

PURPOSE: The purpose of this resolution is to propose an interim study to
examine all licenses issued by the State Racing and Gaming Commission.
This study shall be conducted to fulfill the requirements of section 84-948 and the Occupational Board Reform Act.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the General Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 339. Introduced by Briese, 41.

PURPOSE: The purpose of this resolution is to propose an interim study to examine matters relating to cemeteries in Nebraska. This study shall include examination of any and all statutes governing cemeteries of any type across the state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the General Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 340. Introduced by Briese, 41.

PURPOSE: The purpose of this resolution is to propose an interim study to examine any issues within the jurisdiction of the General Affairs Committee of the Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the General Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.
Amendment(s) - Print in Journal

Senator Briese filed the following amendment to LB939:
AM2418 is available in the Bill Room.

Senator Pansing Brooks filed the following amendment to LB741:
AM2402 (Amendments to Standing Committee amendments, AM1683)

1. Insert the following new sections:
2. Section 1. (1) The Department of Health and Human Services shall
3. develop and publish informational materials for women who may become
4. pregnant, expectant parents, and parents of infants regarding:
5. (a) The incidence of cytomegalovirus;
6. (b) The transmission of cytomegalovirus to pregnant women and women
7. who may become pregnant;
8. (c) Birth defects caused by congenital cytomegalovirus;
9. (d) Methods of diagnosing congenital cytomegalovirus;
10. (e) Available preventative measures to avoid the infection of women
11. who are pregnant or who may become pregnant; and
12. (f) Early interventions, treatment, and services available for
13. children diagnosed with congenital cytomegalovirus.
14. (2) The department shall publish such informational materials on its
15. website and make the materials available to child care facilities, school
16. nurses, hospitals, birthing facilities as defined in section 71-4736, and
17. health care providers offering care to pregnant women and infants.
18. Sec. 2. A health care provider offering care to pregnant women may
19. provide the informational materials published under section 1 of this act
20. to each pregnant woman during the first trimester of pregnancy or when a
21. pregnant woman comes under the care of a provider after the first
22. trimester of pregnancy.
23. Sec. 3. (1) If a newborn infant fails a hearing screening test as
24. provided in section 71-4742, the birthing facility performing such
25. screening may provide to the parents of the newborn infant the following
26. information:
27. (a) Potential birth defects caused by congenital cytomegalovirus;
28. (b) Testing opportunities for cytomegalovirus, including the
29. opportunity to test for cytomegalovirus prior to the infant's discharge
30. from the hospital or birthing facility; and
31. (c) Early intervention services.
32. (2) The informational material published under section 1 of this
33. act, and such additional clarifying information as required by the
34. parents, may be provided to the parents at the newborn infant's follow-up
35. audiology appointment.
10.2. Renumber the remaining sections accordingly.

Senator DeBoer filed the following amendment to LB741:
AM2358 is available in the Bill Room.

General File

Legislative Bill 1011. Senator Lathrop renewed his amendment, 
FA75, found on page 772, and considered in this day's Journal, to the 
committee amendment.

Speaker Hilgers Presiding

Pending.
AMENDMENT(S) - Print in Journal

Senator Bostar filed the following amendment to LB800:

AM2352

(Amendments to Standing Committee amendments, AM2035)

1. Insert the following new sections:
2 Sec. 338. Section 77-2501, Reissue Revised Statutes of Nebraska, is amended to read:
4 77-2501 Sections 77-2501 to 77-2507 and section 342 of this act shall be known and may be cited as the Affordable Housing Tax Credit Act.
6 Sec. 339. Section 77-2502, Reissue Revised Statutes of Nebraska, is amended to read:
8 77-2502 For purposes of the Affordable Housing Tax Credit Act:
9 (1) Allocation year means the year for which the authority awards
10 Nebraska affordable housing tax credits pursuant to the act;
11 (2) Authority means the Nebraska Investment Finance Authority;
12 (3) Eligibility statement means a statement authorized and issued by
13 the authority certifying that a given project is a qualified project that
14 qualifies for Nebraska affordable housing tax credits;
15 (4) Federal low-income housing tax credit means the federal tax
16 credit provided in section 42 of the Internal Revenue Code of 1986, as
17 amended;
18 (5) Nebraska affordable housing tax credit means the nonrefundable
19 tax credit authorized in section 77-2503;
20 (6) Qualified project means a qualified low-income building or
21 buildings, as that term is defined in section 42 of the Internal Revenue
22 Code of 1986, as amended;
23 (7) Qualified taxpayer means a taxpayer owning an interest, direct
24 or indirect, in a qualified project; and
25 (8) Taxpayer means a person, firm, corporation, or other business
26 entity subject to the income tax imposed by section 77-2715 or
27 77-2734.02, an insurance company subject to premium and related
28 retaliatory tax liability imposed by section 44-150, 77-908, or
29 81-523, or a financial institution subject to the franchise tax imposed
30 by sections 77-3801 to 77-3807.
5 Sec. 340. Section 77-2503, Reissue Revised Statutes of Nebraska, is amended to read:
7 77-2503 (1) An owner of an affordable housing project seeking a
8 Nebraska affordable housing tax credit shall file an application with the
9 authority on a form prescribed by the authority. A qualified taxpayer
10 shall be allowed a nonrefundable tax credit if the authority determines
11 that the project for which tax credits are sought is a qualified project.
12 (2) If the requirements of subsection (1) of this section are met,
13 the authority shall issue an eligibility statement to the owner of such
14 qualified project stating the amount of Nebraska affordable housing tax
15 credits allocated to the qualified project. The amount of such tax
16 credits shall be the amount of federal low-income housing tax credits
17 available to such project, except as otherwise provided in subsection (4)
18 of this section. Tax credits for each building in a qualified project
19 shall be issued for the first six years of the credit period as defined
20 in 26 U.S.C. 42(f)(1), except that any reduction in the credit allowable
21 in the first year of the credit period due to the calculation in 26
22 U.S.C. 42(f)(2) shall be allowable in the seventh year of the credit
23 period. The authority shall only allocate tax credits to qualified
24 projects that are placed in service after January 1, 2018.
25 (3) If the owner of the qualified project is (a) a partnership, (b)
26 a limited liability company, or (c) a corporation having an election in
27 effect under subchapter S of the Internal Revenue Code of 1986, as
28 amended, the Nebraska affordable housing tax credit shall be allocated
29 among some or all of the partners, members, or shareholders of the owner
30 of the qualified project in any manner agreed to by such persons, but
31 only if such persons have been admitted as partners or members, or have
1 acquired their shares, or on or prior to February 15 of the year in which
2 the tax return, or amended return, claiming the tax credit is filed. A
3 qualified taxpayer may transfer, sell, or assign all or part of his or
4 her ownership interest, including his or her interest in the tax credits
5 authorized in this section. For any tax year in which such an interest is
6 transferred, sold, or assigned pursuant to this subsection, the
7 transferor shall notify the Department of Revenue of the transfer, sale,
8 or assignment and provide the tax identification number of the new owner
9 at least thirty days prior to the new owner claiming the tax credits. The
10 notification shall be in the manner prescribed by the department.
11 (4) The maximum amount of Nebraska affordable housing tax credits
12 awarded to all qualified projects in any given allocation year shall be
13 no more than one hundred percent of the total amount of federal low-
14 income housing tax credits awarded by the authority in the same
15 allocation year. Notwithstanding any other provision of the Affordable
16 Housing Tax Credit Act, the authority is prohibited from awarding to a
17 qualified project any combined amount of federal low-income housing tax
18 credits and Nebraska affordable housing tax credits that is more than
19 necessary to make the qualified project financially feasible.
20 (5) Any Nebraska affordable housing tax credits granted under this
21 section may be used to offset any income taxes due under section 77-2715
22 or 77-2734.02, any premium and related retaliatory taxes due under
23 section 44-150, or 77-908, or 81-523, or any franchise taxes due under
24 sections 77-3801 to 77-3807.
25 (6) The tax credit shall not be used to reduce the tax liability of
26 the qualified taxpayer to less than zero. Any tax credit claimed but not
27 used in a taxable year may be carried forward.
28 Sec. 341. Section 77-2505, Reissue Revised Statutes of Nebraska, is
29 amended to read:
30 77-2505 An insurance company claiming a Nebraska affordable housing
31 tax credit against any premium and related retaliatory taxes due under
32 section 44-150, or 77-908, or 81-523 shall not be required to pay any
33 additional retaliatory tax as a result of claiming the tax credit. The
34 tax credit may fully offset any retaliatory tax imposed under Nebraska
35 law. Any tax credit claimed shall be considered a payment of tax for
36 purposes of subsection (1) of section 77-2734.03.
37 Sec. 342. The changes made in sections 77-2502, 77-2503, and
38 77-2505 by this legislative bill shall apply to taxable years beginning
39 or deemed to begin on or after January 1, 2023.
40 Sec. 345. Section 81-523, Reissue Revised Statutes of Nebraska, is
41 amended to read:
42 81-523 (1) For the purpose of maintaining the office of the State
43 Fire Marshal and such other fire prevention activities as the Governor
44 may direct, every foreign and alien insurance company including
45 nonresident attorneys for subscribers to reciprocal insurance exchanges
46 shall, on or before March 1, pay a tax to the Director of Insurance of
47 Nebraska equal to one percent of the gross direct writing premiums and
48 assessments received by each of such companies during the preceding
49 calendar year for fire insurance business done in this state. The
50 (2) For the purpose set forth in subsection (1) of this section, every
51 domestic insurance company including resident attorneys for
52 subscribers to reciprocal insurance exchanges shall, on or before March
53 1, pay a tax to the Director of Insurance of three-eighths of one percent
54 of the gross direct writing premiums and assessments received by each of
55 such companies during the preceding calendar year for fire insurance
56 business done in this state.
The term fire insurance business, as used in subsections (1), (2), and (4) of this section, shall include, but not be limited to, premiums of policies on fire risks on automobiles, whether written under floater form or otherwise.

Return premiums on fire insurance business, subject to the fire insurance tax, in accordance with subsections (1) and (2) of this section, may be deducted from the gross direct writing premiums for the purpose of the tax calculations provided for by subsections (1) and (2) of this section.

In the case of mutual companies and assessment associations, the dividends paid or credited to policyholders or members in this state shall be construed to be return premiums.

Any tax collected pursuant to subsections (1) and (2) of this section shall be remitted to the State Treasurer for credit to the General Fund.

An insurance company described in this section shall receive a credit on the tax imposed under this section as provided in the Affordable Housing Tax Credit Act.

Senator Linehan filed the following amendment to LB939:

Senator Friesen filed the following amendment to LB1012:

AMENDMENT(S) - Refile in Journal

Senator Friesen refiled his amendment, AM2344, found on page 856, considered on pages 856 and 858, and withdrawn on page 858, to LB1012.

COMMITTEE REPORT(S)

LEGISLATIVE BILL 920. Placed on General File with amendment.

LEGISLATIVE BILL 922. Placed on General File with amendment.

LEGISLATIVE BILL 1213. Placed on General File with amendment.

1. Strike the original section and insert the following new sections:
2. Section 1. (1) For purposes of this section:
3. (a) Account means a unique login for each educational research database user indicating that the user is a student in kindergarten through grade twelve;
7 (b) Block means limiting access based on the labeling of indexed content such that materials obscene as to minors or harmful to minors can be recognized and removed from search results before presentation to a student in kindergarten through grade twelve;
8 (c) Educational research database means materials in electronic form from a vendor or provider made available to students in kindergarten through grade twelve by any school district, any school, or the Nebraska Library Commission, including, but not limited to, research databases, e-journals, magazine subscriptions, and e-books;
9 Filter means the use of technology developed to prevent a request to a website known to include content obscene as to minors or harmful to minors and to examine content in a response being delivered in order to prevent such obscene or harmful content from being presented to a student in kindergarten through grade twelve;
10 (a) Harmful to minors has the same meaning as in subdivision (6) of section 28-807;
11 (1) Nebraska Library Commission means the organization established in section 51-401, or its successor organization, that provides an information technology infrastructure, which includes various affiliated school districts, schools, and libraries, used for the purposes of making computer services available to a student in kindergarten through grade twelve;
12 (g) Obscene as to minors is the same as the description of obscene as to minors in section 28-808;
13 (h) School means a public, private, denominational, or parochial school, regardless of whether such school is approved or accredited, and
14 (i) Vendor or provider means an entity that creates, compiles, and maintains an educational research database. Vendor or provider does not include a school district, a school, or the Nebraska Library Commission;
15 (2) A school district, a school, or the Nebraska Library Commission may offer one or more educational research databases to students in kindergarten through grade twelve only if the vendor or provider of the educational research database verifies that the database complies with and will continue to comply with subsection (3) of this section.
16 (3) Any educational research database offered by a school district, a school, or the Nebraska Library Commission to students in kindergarten through grade twelve shall:
17 (a) Have technology protection measures that filter and block access to all materials obscene as to minors or harmful to minors; and
18 (b) Establish an account for each student in kindergarten through grade twelve using such educational research database and require verification of account information when the student accesses such educational research database;
19 (c) A school district or school shall:
20 (a) Provide the account credential of each student in kindergarten through grade twelve to such student's parent or guardian and allow the parent or guardian access to all materials accessible to the student; and
21 (b) Prohibit any shared or group accounts, distinct from the account described in subdivision (3)(b) of this section, for use of any educational research database;
22 (5) Compliance with subdivision (3)(a) of this section is a material element of any contract with a vendor or provider;
23 (b) A student in kindergarten through grade twelve or any parent or guardian of such student may file a complaint with the superintendent of the school district or the principal of the school which such student attends alleging that specific material available on the educational research database used by the school is obscene as to minors or harmful to minors. The complaint shall provide sufficient information to identify and locate the material specified in the complaint;
24 (a) A complaint filed with the principal of a school shall be
9 immediately forwarded to the superintendent of the school district. If a
10 school does not have a superintendent, the principal or other school
11 administrator for such school shall conduct the review and make the
12 determination required by this subsection. The superintendent, principal,
13 or other school administrator shall review any complaint and within seven
14 days after receipt of such complaint make a determination as to whether
15 the specific material contained in the complaint and available on the
16 educational research database is obscene as to minors or harmful to
17 minors.
18 (b) If the superintendent or principal or other school administrator
19 for a school that does not have a superintendent is unable to locate the
20 material specified in the complaint or determines that such material is
21 not obscene as to minors or harmful to minors, the superintendent,
22 principal, or other school administrator shall, within seven days after
23 receipt of such complaint, notify the individual who made the complaint
24 of such determination. Such determination shall be ratified or rejected
25 by a majority vote of the school board of such school, if one exists.
26 (c) If the superintendent or principal or other school administrator
27 for a school that does not have a superintendent determines that the
28 material specified in such complaint is obscene as to minors or harmful
29 to minors, the superintendent, principal, or other administrator shall,
30 within seven days after receipt of the complaint, notify the provider or
31 vendor of the need to block or filter the specific material specified in
32 the complaint. If the vendor or provider is unwilling or unable to block
33 or filter such material within fourteen days after receiving such
34 notification, the superintendent, principal, or other administrator shall
35 notify the school board of such school which shall, by majority vote,
36 make a determination as to whether the material contained in the
37 complaint is obscene as to minors or harmful to minors. If the
38 determination is that the material is obscene as to minors or harmful to
39 minors and the school district or school is a party to the contract with
40 the vendor or provider, the school board may, if the school district or
41 school contracts directly with the vendor or provider, institute a
42 declaratory judgment or other civil proceeding to determine whether the
43 vendor or provider is in breach of contract. In addition to any other
44 defense available to the vendor or provider, it shall be a defense to
45 such action that the material in such complaint is not obscene as to
46 minors or harmful to minors. If no school board exists for a school, the
47 actions authorized under subdivision (5)(c) of this section may be
48 undertaken by an individual or entity that is a party to the contract
49 with the vendor or provider.
50 Sec. 2. This act becomes operative on January 1, 2023.

(Signed) Steve Lathrop, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 341. Introduced by Halloran, 33.

WHEREAS, the 2022 Nebraska School Activities Association Class C-2
Girls State Basketball Championship was held on March 12 at Pinnacle
Bank Arena in Lincoln; and

WHEREAS, St. Cecilia Catholic High School in Hastings won the 2022
Class C-2 Girls State Basketball Championship; and

WHEREAS, the St. Cecilia Catholic High School girls basketball team
defeated Bridgeport by a score of 40 to 38 in the championship game; and
WHEREAS, this is the third state title victory for St. Cecilia Catholic High School in four years; and
WHEREAS, the determination and effort of the St. Cecilia Catholic High School girls basketball team secured this championship; and
WHEREAS, such a team achievement is made possible through the support of parents, teachers, administrators, classmates, and the community; and
WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature congratulates St. Cecilia Catholic High School girls basketball team on winning the 2022 Class C-2 Girls State Basketball Championship.
2. That a copy of this resolution be sent to St. Cecilia Catholic High School.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 1011. Senator Lathrop renewed his amendment, FA75, found on page 772 and considered in this day's Journal, to the committee amendment.

The Lathrop amendment was withdrawn.

Pending.

AMENDMENT(S) - Print in Journal

Senator J. Cavanaugh filed the following amendment to LB939:
AM2414 is available in the Bill Room.

MESSAGE(S) FROM THE GOVERNOR

March 16, 2022

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 767, 767A, and 1099e were received in my office on March 11, 2022. These bills were signed and delivered to the Secretary of State on March 16, 2022.
Sincerely,
(Signed) Pete Ricketts
Governor

GENERAL FILE

LEGISLATIVE BILL 1011. Senator Lathrop offered his amendment, FA76, found on page 772, to the committee amendment.

SEANTOR WAYNE PRESIDING

Pending.

AMENDMENT(S) - Print in Journal

Senator Arch filed the following amendment to LB1012:

AM2389
(Amendments to Standing Committee amendments, AM2000)
1 1. On page 8, line 20, after the period insert "The University of
2 Nebraska Medical Center shall, on or before July 1, 2025, electronically
3 submit to the Clerk of the Legislature and the Appropriations Committee
4 of the Legislature a report detailing the use of funds transferred
5 pursuant to this subsection."

ANNOUNCEMENT

Senator Bostelman announced the Natural Resources Committee will hold an executive session Thursday, March 17, 2022, at 10:00 a.m., under the South Balcony.

VISITOR(S)

Visitors to the Chamber were Legislative Field Experience from across the state; fourth-grade students and their teachers from Grant Elementary, Norfolk; First- through fifth-grade students and their teachers from Hampton Lutheran, Hampton; Senator Sanders' nephew, Chaz Boeder, Aurora; fourth-grade students and their teachers from Zion Classical Academy, Hastings; and Senator Brandt's mother, Janet Brandt Murray, Plymouth.

The Doctor of the Day was Dr. Jason Bespalec of Geneva.

ADJOURNMENT

At 5:18 p.m., on a motion by Senator Bostelman, the Legislature adjourned until 9:00 a.m., Thursday, March 17, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
FORTY-FOURTH DAY - MARCH 17, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

FORTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, March 17, 2022

PRAYER
The prayer was offered by Senator Williams.

PLEDGE OF ALLEGIANCE
The Pledge of Allegiance was offered by Senator Friesen.

ROLL CALL
Pursuant to adjournment, the Legislature met at 9:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator Lindstrom who was excused; and Senators Arch, Blood, Bostar, Briese, Day, B. Hansen, M. Hansen, Hunt, McKinney, Morfeld, Pansing Brooks, Walz, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL
The Journal for the forty-third day was approved.

REPORTS
Agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website.

REPORT OF REGISTERED LOBBYISTS
Following is a list of all lobbyists who have registered as of March 16, 2022, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature
Greene, Steven
Aunt Bertha
Husch Blackwell Strategies
Grand Island Area Economic Development Corporation

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR329 was adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR329.

GENERAL FILE

LEGISLATIVE BILL 1011. Considered.

Committee AM1999, found on page 812, and considered on pages 866, 868, 872, and 884, was renewed.

Senator Lathrop renewed his amendment, FA76, found on page 772, and considered on page 884, to the committee amendment.

Senator Stinner offered the following motion:

MO160
Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Stinner moved for a call of the house.

Senator Stinner requested a roll call vote, in reverse order, on the motion to place the house under call.

The motion to place the house under call prevailed with 30 ayes, 2 nays, and 17 not voting.

Senator Stinner requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 40:

<table>
<thead>
<tr>
<th>Aguilar</th>
<th>Clements</th>
<th>Halloran</th>
<th>Lathrop</th>
<th>Pansing</th>
<th>Brooks</th>
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<td>Albrecht</td>
<td>Day</td>
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<td>Lowe</td>
<td>Sanders</td>
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<td>DeBoer</td>
<td>Hilgers</td>
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<td>Bostar</td>
<td>Dorn</td>
<td>Hilkemann</td>
<td>McDonnell</td>
<td>Stinner</td>
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<td>Bostelman</td>
<td>Erdman</td>
<td>Hughes</td>
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<td>Brandt</td>
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<td>Brewer</td>
<td>Geist</td>
<td>Jacobson</td>
<td>Murman</td>
<td>Williams</td>
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<tr>
<td>Briese</td>
<td>Gragert</td>
<td>Kolterman</td>
<td>Pahls</td>
<td>Wishart</td>
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</tr>
</tbody>
</table>


Voting in the negative, 4:
Friesen  Linehan  McKinney  Wayne

Present and not voting, 2:
Cavanaugh, J.  Cavanaugh, M.

Excused and not voting, 3:
Blood  Hansen, M.  Lindstrom

The Stinner motion to invoke cloture prevailed with 40 ayes, 4 nays, 2 present and not voting, and 3 excused and not voting.

The Lathrop amendment lost with 6 ayes, 36 nays, 4 present and not voting, and 3 excused and not voting.

Senator Wayne requested a roll call vote, in reverse order, on the committee amendment.

Voting in the affirmative, 41:
Aguilar  Clements  Hansen, B.  McCollister  Stinner
Albrecht  Day  Hilgers  McDonnell  Vargas
Arch  DeBoer  Hilkemann  Morfeld  Walz
Bostar  Dorn  Hughes  Moser  Williams
Bostelman  Erdman  Hunt  Murman  Wishart
Brandt  Flood  Jacobson  Pahls
Brewer  Geist  Kolterman  Pansing Brooks
Briese  Gragert  Lathrop  Sanders
Cavanaugh, J.  Halloran  Lowe  Slama

Voting in the negative, 5:
Cavanaugh, M.  Friesen  Linehan  McKinney  Wayne

Excused and not voting, 3:
Blood  Hansen, M.  Lindstrom

The committee amendment was adopted with 41 ayes, 5 nays, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 6 nays, and 3 excused and not voting.

The Chair declared the call raised.
LEGISLATIVE JOURNAL

GENERAL FILE

LEGISLATIVE BILL 1013. Senator Wayne offered his motion, MO152, found on page 805, to indefinitely postpone pursuant to Rule 6, Section 3(f).

SPEAKER HILGERS PRESIDING

Pending.

COMMITTEE REPORT(S)

Natural Resources

LEGISLATIVE BILL 1262. Placed on General File with amendment. AM2411

1. On page 2, strike beginning with "the" in line 17 through line 31
2. and insert "projects at recreation areas in this state that comply with
3. the federal American Rescue Plan Act of 2021, including, but not limited
4. to, investments in water, sewer, or broadband infrastructure and projects
5. that respond to a negative economic impact.".

(Signed) Bruce Bostelman, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Nebraska Retirement Systems
Room 1525 12:00 PM

Wednesday, March 30, 2022
James Schulz - Public Employees Retirement Board
Richard A. DeFusco - Nebraska Investment Council
Presentation of annual report by the Nebraska Investment Council pursuant to section 72-1243(3)
Presentation of annual report of the Nebraska Public Employees Retirement Systems pursuant to section 84-1503(3)

(Signed) Mark Kolterman, Chairperson

Executive Board
Room 1524 12:00 PM

Monday, March 28, 2022
LR307

(Signed) Dan Hughes, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1013. Senator Wayne renewed his motion, MO152, found on page 805 and considered in this day’s Journal, to indefinitely postpone pursuant to Rule 6, Section 3(f).

Pending.
LEGISLATIVE BILL 1012. Placed on Select File with amendment.

ER148
1. On page 1 strike beginning with "section" in line 1 through line 2 and insert "sections 81-1210.02 and 81-12,145, Reissue Revised Statutes 3 of Nebraska, sections 75-1101, 81-829.33, 81-1210.01, 81-1210.04, 4 81-12,153, 81-12,154, 81-12,156, 81-12,162, and 83-904, Revised Statutes 5 Cumulative Supplement, 2020, and sections 71-7611, 81-12,147, 81-12,148, 6 81-12,149, 81-12,213, 81-12,218, 82-331, 83-973, 85-424, and 86-324, 7 Revised Statutes Supplement, 2021; to provide for and change fund 8 transfer provisions; to create and change permitted uses of funds; to 9 provide for and change grant provisions; to change provisions relating to 10 internship programs, capital construction, the Business Innovation Act, 11 and the Nebraska Rural Projects Act; to eliminate provisions regarding 12 state agency postage reimbursement and obsolete provisions regarding fund 13 transfers; to harmonize provisions; to repeal the original sections; to 14 outright repeal section 81-167, Reissue Revised Statutes of Nebraska; and 15 to declare an emergency."

LEGISLATIVE BILL 1082. Placed on Select File with amendment.

ER147
1. On page 1, line 2, after "Nebraska" insert ", and section 37-201, 2 Revised Statutes Supplement, 2021".
3. On page 2, lines 3, 14, 23, and 26; and page 3, line 10, strike 4 "Game and Parks Commission" and insert "commission".

LEGISLATIVE BILL 1137. Placed on Select File with amendment.

ER146
1. On page 1, line 1, after "the" insert "Nebraska".
2. On page 4, line 22, strike "this" and insert "the".

LEGISLATIVE BILL 742. Placed on Select File.
LEGISLATIVE BILL 983. Placed on Select File.
LEGISLATIVE BILL 908. Placed on Select File.
LEGISLATIVE BILL 856. Placed on Select File.
LEGISLATIVE BILL 1007. Placed on Select File.
LEGISLATIVE BILL 829. Placed on Select File.
LEGISLATIVE BILL 851. Placed on Select File.
LEGISLATIVE BILL 1124. Placed on Select File.

LEGISLATIVE BILL 1057. Placed on Select File with amendment.

ER149
1. On page 1, line 1, after "amend" insert "section 79-848, Reissue 2 Revised Statutes of Nebraska, and"; in line 4 after the semicolon insert 3 "to harmonize provisions;"; and in line 5 strike "section" and insert 4 "sections".

(Signed) Terrell McKinney, Chairperson
GENERAL FILE

LEGISLATIVE BILL 1013. Senator Wayne renewed his motion, MO152, found on page 805 and considered in this day's Journal, to indefinitely postpone pursuant to Rule 6, Section 3(f).

SENATOR WILLIAMS PRESIDING

Senator Erdman moved the previous question. The question is, "Shall the debate now close?"

Senator Wayne moved for a call of the house. The motion prevailed with 25 ayes, 5 nays, and 19 not voting.

The motion to cease debate prevailed with 34 ayes, 11 nays, and 4 not voting.

The Wayne motion to indefinitely postpone failed with 10 ayes, 30 nays, 7 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Title read.

Committee AM2001, found on page 813, was offered.

Senator Lathrop offered his amendment, FA80, found on page 786, to the committee amendment.

SENATOR HUGHES PRESIDING

Pending.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 848A. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 848, One Hundred Seventh Legislature, Second Session, 2022.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 342. Introduced by Albrecht, 17.
WHEREAS, the land-grant college system was established by the passage of the Morrill Act, which was signed into law on July 2, 1862, by President Abraham Lincoln; and
WHEREAS, in 1914, the Smith-Lever Act became law and provided federal support for land-grant universities to establish Cooperative Extension Services to bring learning opportunities to all residents; and
WHEREAS, the Cooperative Extension Service of the University of Nebraska-Lincoln (Nebraska Extension) provides extension services to the people of Nebraska. As the university's front door across Nebraska, Nebraska Extension's role has expanded to multiple subject areas and reaches both urban and rural audiences. The goal of Nebraska Extension is to translate scientific discoveries for practical application, engage target audiences to create solutions to vexing problems, and change lives through learning opportunities; and
WHEREAS, the Nebraska Association of County Extension Boards was established in 1972 to support Nebraska Extension across all ninety-three Nebraska counties; and
WHEREAS, more than five hundred fifty members representing all ninety-three Nebraska counties comprise the Nebraska Association of County Extension Boards; and
WHEREAS, the Nebraska Association of County Extension Boards is celebrating fifty years of strong grassroots support for and service to Nebraska Extension, the counties served by the boards, and the people of Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature recognizes the Nebraska Association of County Extension Boards for fifty years of leadership representing all ninety-three Nebraska counties and supporting Nebraska Extension and the people of Nebraska.
2. That a copy of this resolution be sent to Nebraska Association of County Extension Boards President-Elect Ryan Ridenour.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Brewer filed the following amendment to LB512:

AM2387

(Amendments to Standing Committee amendments, AM1620)
1. Strike amendment 1 and insert the following new amendment:
2. Strike original section 6 and insert the following new sections:
3. Sec. 6. Section 81-829.39, Reissue Revised Statutes of Nebraska, is amended to read:

5. 81-829.39 For purposes of the Emergency Management Act, unless the context otherwise requires:
7. (1) Civil defense emergency means an emergency declared by the
8. President of the United States or Congress pursuant to applicable federal
9. law finding that an attack upon the United States has occurred or is
10. anticipated and that the national safety therefor requires the invocation
of the emergency authority provided for by federal law. Civil defense
emergency also means an enemy attack or other hostile action within the
State of Nebraska or a determination by the President of the United
States that any attack has been made upon or is anticipated within a
designated geographic area which includes all or a part of the State of
Nebraska. Any such emergency shall terminate in the manner provided by
federal law or by proclamation of the Governor or resolution of the
Legislature terminating such emergency;

(2) Disability has the same meaning as in 42 U.S.C. 12102, as such
section existed on January 1, 2022;

(3) Disaster means any event or the imminent threat thereof
causing widespread or severe damage, injury, or loss of life or property
resulting from any natural or manmade cause;

(4) Emergency means any event or the imminent threat thereof
causing serious damage, injury, or loss of life or property resulting
from any natural or manmade cause which, in the determination of the
Governor or the principal executive officer of a local government,
requires immediate action to accomplish the purposes of the Emergency
Management Act and to effectively respond to the event or threat of the
4 event;

(5) Emergency management means the preparation for and the
6 carrying out of all emergency functions, other than functions for which
7 military forces are primarily responsible, to mitigate, prevent,
8 minimize, respond to, and recover from injury and damage resulting from
9 disasters, emergencies, or civil defense emergencies. Emergency
10 management functions include, but need not be limited to, firefighting
11 services, police services, medical and health services, search and rescue
12 services, engineering services, communications and warning systems,
13 radiological preparedness, hazardous materials response, evacuation of
14 persons from stricken areas, emergency welfare services, emergency
15 transportation services, restoration of public utility services, and
16 other functions related to civilian protection, together with all other
17 activities necessary or incidental to the preparation for and carrying
18 out of the functions listed in this subdivision;

(6) Emergency management worker includes any full-time or part-
time paid, volunteer, or auxiliary employee of this state or other
11 states, territories, or possessions of the federal government or any
12 neighboring country or of any political subdivision thereof, of the
13 District of Columbia, or of any agency or organization performing
14 emergency management services at any place in this state subject to the
15 order or control of or pursuant to a request of the state government or
16 any political subdivision thereof and also includes instructors and
17 students in emergency management educational programs approved by the
18 Nebraska Emergency Management Agency or otherwise under the provisions of
19 the Emergency Management Act;

(7) Functional needs means additional needs before, during, and
after a disaster or an emergency in one or more functional areas,
including, but not limited to, maintaining independence, communication,
transportation, safety, support, and health care;

(8) Hazard mitigation means measures which will eliminate or
reduce the potential for damage to an area or facility from the effects
of a future disaster, emergency, or civil defense emergency;

(9) Local government means a county, village, or city of any
7 class;

(10) Political subdivision means a city, village, county, school
9 district, public power district, natural resources district, and any
10 other unit of government below the state level, including any entity
11 created pursuant to the Interlocal Cooperation Act or the Joint Public
12 Agency Act;

(11) Principal executive officer means the mayor in a city of
14 any class or the elected chairperson of the governing body of a village
15 or county;
16 (12) State emergency response team means an organization for
17 emergency management established in accordance with the provisions of
18 sections 81-829.52 to 81-829.54 by state authority to supplement city, 
19 village, county, or interjurisdictional emergency management
20 organizations in a stricken area; and
21 (13) Technological hazard means a hazard emanating from the
22 manufacture, transportation, and use of such substances as radioactive
23 materials, chemicals, explosives, flammables, agricultural pesticides,
24 herbicides, disease agents, oil spills, and debris from space.
25 Sec. 7. Section 81-829.41, Reissue Revised Statutes of Nebraska, is
26 amended to read:
27 81-829.41 (1) The Nebraska Emergency Management Agency shall be
28 maintained in the office of the Adjutant General. The Adjutant General
29 shall be the director of the agency, shall administer the Emergency
30 Management Act subject to the direction and control of the Governor, and
31 shall receive such compensation for these services as shall be determined
1 by the Governor. The agency shall have an assistant director and such
2 other professional, technical, secretarial, and clerical employees as are
3 necessary for the performance of its functions.
4 (2) The agency shall maintain an emergency operations plan and keep
5 it current. The plan may include, but need not be limited to:
6 (a) A history of Nebraska disasters, emergencies, and civil defense
7 emergencies;
8 (b) An analysis of past and potential disasters, emergencies, and
9 civil defense emergencies, including an identification of the functions
10 and resources required to cope with such occurrences. The expected
11 frequency of occurrence, along with the severity of effect, shall
12 indicate the priority of preparedness efforts of the emergency management
13 organizations of the state;
14 (c) Measures to be undertaken to accomplish damage assessment and
15 situation analysis, warning, direction and control, coordination of
16 operating forces, emergency resource management, emergency information
17 and official instructions, communications and other necessary support to
18 emergency response operations, and coordination and cooperation of
19 federal, state, local, and nongovernmental agencies so as to provide a
20 prompt and effective response to disasters, emergencies, and civil
21 defense emergencies to prevent and minimize the injury and damage;
22 (d) The provision of relief and recovery assistance to individuals,
23 political subdivisions of the state, and state agencies;
24 (e) Identification of areas of the state particularly vulnerable to
25 disaster, emergency, or civil defense emergency;
26 (f) Recommendations for preventive and preparedness measures
27 designed to eliminate or reduce disasters, emergencies, or civil defense
28 emergencies or their impact, including, but not limited to, zoning,
29 building, and other land-use control, and safety measures for securing
30 mobile homes or other nonpermanent or semipermanent structures;
31 (g) Authorization and procedures for the erection or other
1 construction of temporary works designed to protect against or mitigate
2 danger, damage, or loss from flood, conflagration, or other disaster,
3 emergency, or civil defense emergency;
4 (h) Assistance in designing city, village, county, and
5 interjurisdictional emergency operations plans;
6 (i) Preparation and distribution to the appropriate state and
7 political subdivision officials of catalogs of federal, state, and
8 private disaster assistance programs; and
9 (j) Other necessary matters.
10 (3) The Nebraska Emergency Management Agency shall take an integral
11 part in the development and revision of city, village, county, and
The Nebraska emergency operations plans or any part thereof may
be incorporated in rules or regulations of the agency.
1 (6) The agency shall:
2 (a) Determine the requirements of the state and its political
3 subdivisions for basic necessities such as food, clothing, and shelter in
4 various disaster, emergency, or civil defense emergency situations;
5 (b) Procure and pre-position emergency supplies, materials, and
6 equipment;
7 (c) Adopt and promulgate rules and regulations setting out standards
8 and requirements for city, village, county, and interjurisdictional
9 emergency operations plans;
10 (d) Periodically review city, village, county, and
11 interjurisdictional emergency operations plans;
12 (e) Provide for state emergency response teams;
13 (f) Establish and operate or assist local governments, their
14 emergency management organizations, and interjurisdictional emergency
15 management organizations in establishing and operating training programs
16 and programs of public information;
17 (g) Make surveys of such industries, resources, and facilities, both
18 public and private, within the state as are necessary to carry out the
19 purposes of the Emergency Management Act;
20 (h) Plan and make arrangements for the availability and use of any
21 private facilities, services, and property and, if necessary and if in
22 fact used, provide for payment for use under terms and conditions agreed
23 upon;
24 (i) Establish a register of persons and organizations with training
25 and skills important in disaster prevention, mitigation, preparedness,
26 response, and recovery and emergency management;
27 (j) Establish a register of mobile and construction equipment and
28 temporary housing available for use in a disaster or emergency;
29 (k) Prepare for issuance by the Governor proclamations, orders,
30 rules, and regulations as are necessary or appropriate in coping with
31 disasters, emergencies, and civil defense emergencies;
1 (l) Cooperate with the federal government and any public or private
2 agency or entity in achieving any purpose of the act and in implementing
3 programs for disaster prevention, mitigation, preparedness, response, and
4 recovery and emergency management;
5 (m) Coordinate state emergency response as directed by the Governor;
6 (n) Cooperate with other emergency management agencies and public
7 agencies in the development of emergency management registries which
8 include persons with disabilities or who have functional needs and the
9 families and guardians of such persons for purposes of planning for
10 assistance for such persons and their families and guardians before, 11 during, and after a disaster or other emergency. Participation in an 12 emergency management registry by persons with functional needs and their 13 families shall be voluntary. Information obtained by emergency management 14 agencies or other public agencies for such purposes shall not be 15 considered a public record under section 84-712.01. All information 16 acquired pursuant to this subdivision is confidential and shall not be 17 disclosed or released except to other agencies which have a legitimate 18 and official interest in the information for carrying out the purposes of 19 this subdivision. Any person acquiring information pursuant to this 20 subdivision who intentionally discloses or releases such information in 21 violation of this subdivision is guilty of a Class III misdemeanor; and 22 (o) Do other things necessary, incidental, or appropriate for the 23 implementation of the act.

24 Sec. 8. Original sections 81-829.39 and 81-829.41, Reissue Revised 25 Statutes of Nebraska, are repealed.

Senator Aguilar filed the following amendment to LB1012:  
AM2425

(Amendments to Standing Committee amendments, AM2000)
1 1. On page 24, strike beginning with "For" in line 25 through the 2 period in line 29 and show as stricken.

Senator J. Cavanaugh filed the following amendment to LB939:  
AM2433 is available in the Bill Room.

Senator J. Cavanaugh filed the following amendment to LB939:  
AM2432 is available in the Bill Room.

GENERAL FILE

LEGISLATIVE BILL 1013. Senator Lathrop renewed his amendment,  
FA80, found on page 786 and considered in this day's Journal, to the  
committee amendment.

SPEAKER HILGERS PRESIDING

Pending.

VISITOR(S)

Visitors to the Chamber were Alex and Mac Sissel, and Elum Schaefer from  
Fremont Middle School and Johnson Crossing, Fremont; fourth-grade  
students and their teachers from St. Wenceslaus, Wahoo; fourth- and fifth-  
grade students and their teachers from Guardian Angels Central, West Point;  
fifth-grade students and their teachers from Norfolk Middle School,  
Norfolk; and seventh- and twelfth-grade students and their teachers from  
Cambridge Public Schools, Cambridge.

The Doctor of the Day was Dr. Dale Michels of Walton.
ADJOURNMENT

At 3:16 p.m., on a motion by Senator Clements, the Legislature adjourned until 9:00 a.m., Tuesday, March 22, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
FORTY-FIFTH DAY - MARCH 22, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

FORTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 22, 2022

PRAYER

The prayer was offered by Senator Hilkemann.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Geist.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Hughes presiding.

The roll was called and all members were present except Senator Pahls who was excused; and Senators Albrecht, Arch, Bostar, M. Cavanaugh, Day, DeBoer, B. Hansen, M. Hansen, Hunt, McCollister, Morfeld, Pansing Brooks, Vargas, Walz, Williams, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 818, after line 4, insert:
Senator M. Cavanaugh requested a point of order.

The M. Cavanaugh requested point of order was not recognized by the Chair.

The Journal for the fortieth day was approved as corrected.

Page 853, before line 2, insert:
AMENDMENT(S) - REFILE IN JOURNAL

Senator Morfeld refiled his amendment, AM2297, found on page 802 and withdrawn on page 812, to LB773.
The Journal for the forty-first day was approved as corrected.

The Journal for the forty-fourth day was approved.

**COMMITTEE REPORT(S)**

Appropriations

**LEGISLATIVE BILL 1014.** Placed on General File with amendment. AM2330 is available in the Bill Room.

(Signed) John Stinner, Chairperson

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 1011.** Placed on Select File with amendment.

ER150

1. In the Standing Committee amendments, AM1999:
2 a. On page 19, line 15, strike "Services" and insert "Service";
3 b. On page 79, line 30, after "Water" insert "irrigation";
4 c. On page 92, line 15, strike "Control" and insert "Cash"; and
5 d. On page 95, line 6, strike "Control" and insert "Cash".
6 2. On page 1, strike lines 2 through 7 and insert "sections 24, 48, 7 81, 89, 95, 96, 98, 103, 104, 110, 111, 116, 120, 136, 156, 158, 198, 8 217, 246, 261, 262, 266, and 267; and Laws 2021, LB383, sections 9, 10, 9 22, 23, 24, and 37; to define terms; to provide, change, and eliminate 10 appropriations for operation of state government; to repeal the original 11 sections; to outright repeal Laws 2021, LB396A, section 1; and to declare 12 an emergency.".

(Signed) Terrell McKinney, Chairperson

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 343.** Introduced by Hughes, 44.

WHEREAS, the 2022 Nebraska School Activities Association State Speech Championships were held from March 16 through March 18 at Kearney High School; and

WHEREAS, junior Gavin Smith competed for Perkins County School in the Class C-2 Persuasive Speaking category; and

WHEREAS, Gavin defeated five other contestants in the final round with a score of one hundred forty-seven and won the Class C-2 Persuasive Speaking State Championship; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Gavin Smith on winning the 2022 Class C-2 Persuasive Speaking State Speech Championship.
2. That copies of this resolution be sent to Perkins County School and Gavin Smith.

Laid over.

**GENERAL FILE**

**LEGISLATIVE BILL 1013.** Committee AM2001, found on page 813 and considered on page 890, was renewed.

Senator Lathrop renewed his amendment, FA80, found on page 786 and considered on pages 890 and 895, to the committee amendment.

Senator Wayne offered the following motion:

**MO166**
Recommit to Appropriations Committee.

Senator Wayne withdrew his motion to recommit to committee.

Senator Stinner offered the following motion:

**MO167**
Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Stinner moved for a call of the house. The motion prevailed with 29 ayes, 2 nays, and 18 not voting.

Senator Stinner requested a roll call vote, in reverse order, on the motion to invoke cloture.

Voting in the affirmative, 39:

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<td>Bostelman</td>
<td>Flood</td>
<td>Koltermann</td>
<td>Moser</td>
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<td>Brandt</td>
<td>Geist</td>
<td>Lathrop</td>
<td>Murman</td>
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<td>Brewer</td>
<td>Gragert</td>
<td>Lindstrom</td>
<td>Pansing</td>
<td>Brooks</td>
</tr>
</tbody>
</table>

Voting in the negative, 4:

| Friesen | Hunt | McKinney | Wayne |

Present and not voting, 4:

| Cavanaugh, J. | Cavanaugh, M. | Hansen, M. | Hughes |

Excused and not voting, 2:
Day Pahls

The Stinner motion to invoke cloture prevailed with 39 ayes, 4 nays, 4 present and not voting, and 2 excused and not voting.

The Lathrop amendment lost with 3 ayes, 37 nays, 7 present and not voting, and 2 excused and not voting.

The committee amendment was adopted with 40 ayes, 3 nays, 4 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 4 nays, 4 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

**MOTION(S) - Print in Journal**

Senator Wayne filed the following motion to LB334:

MO161

Place on General File pursuant to Rule 3, Section 20(b).

**AMENDMENT(S) - Print in Journal**

Senator Brandt filed the following amendment to LB1014:

AM2444

(Amendments to Standing Committee amendments, AM2330)

1 1. On page 6, strike beginning with "grants" in line 10 through 2 "processors" in line 11 and insert "the Independent Processor Assistance 3 Program".

Senator Lathrop filed the following amendment to LB920:

AM2462

(Amendments to Standing Committee amendments, AM2286)

1 1. On page 31, line 26, strike "State Court Administrator" and 2 insert "probation administrator".

Senator Lathrop filed the following amendment to LB920:

AM2463

is available in the Bill Room.

Senator Lathrop filed the following amendment to LB920:

AM2468

(Amendments to AM2463)

1 1. On page 23, line 6; and page 25, line 19, strike "necessitate" 2 and insert "support".

Senator Briese filed the following amendment to LB939:

AM2453

is available in the Bill Room.
FORTY-FIFTH DAY - MARCH 22, 2022

Senator Wayne filed the following amendment to LB1014:

AM2478

(Amendments to Standing Committee amendments, AM2330)
1 1. On page 28, strike lines 27 through 30.
2 2. On page 29, line 1, strike "(5)" and insert "(4)"; in lines 2 and
3 3. strike "Qualified Census Tract"; in line 6 after "tracts" insert
4 4. "located in a city of the metropolitan class"; in line 10 strike "(6)"
5 5. and insert "(5)"; and in line 13 strike "(7)" and insert "(6)".

NOTICE OF COMMITTEE HEARING(S)

Health and Human Services
Room 1510 8:30 AM

Monday, April 11, 2022
Hearing on the Community Block Grant State Plan by the Department of
Health and Human Services.

(Signed) John Arch, Chairperson

MOTION(S) - Print in Journal

Senator M. Cavanaugh filed the following motion to LB939:

MO162
Bracket until March 25, 2022.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 752A. Introduced by Arch, 14; DeBoer, 10.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to
aid in carrying out the provisions of Legislative Bill 752, One Hundred

LEGISLATIVE BILL 1024A. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to
aid in carrying out the provisions of Legislative Bill 1024, One Hundred
Seventh Legislature, Second Session, 2022; and to declare an emergency.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 344. Introduced by Murman, 38.

WHEREAS, the 2022 Nebraska School Activities Association State
Wrestling Tournament was held from February 17 through February 19 at
the CHI Health Center Omaha; and
WHEREAS, sophomore Braxton Hammond wrestled for the Southern
Valley High School wrestling team coached by Dexter Becker; and
WHEREAS, Braxton won the Class D 106-pound championship match; and
WHEREAS, Braxton defeated four other seeded opponents, including two higher seeds; and
WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature congratulates Braxton Hammond on winning the 2022 Class D 106-pound State Wrestling Championship.
2. That copies of this resolution be sent to Southern Valley High School, coach Dexter Becker, and Braxton Hammond.

Laid over.

LEGISLATIVE RESOLUTION 345. Introduced by Lowe, 37; Brewer, 43; Briese, 41; Halloran, 33; McCollister, 20; McKinney, 11; Murman, 38; Wayne, 13; Williams, 36.

WHEREAS, the University of Nebraska at Kearney Lopers men's wrestling team won the 2022 Division II National Championship in St. Louis on March 12; and
WHEREAS, this is the third wrestling national championship won by the Lopers and the first since 2013; and
WHEREAS, the Lopers sent nine wrestlers to nationals, the most in Division II, including Matt Malcom, Josh Portillo, Sam Turner, Wesley Dawkins, and Billy Higgins; and
WHEREAS, Matt Malcom won a second national championship in the 165-pound division by defeating the previously undefeated Shane Gantz of Wisconsin-Parkside; and
WHEREAS, Josh Portillo earned second place in the 125-pound division, Sam Turner earned second place in the 149-pound division, Wesley Dawkins earned third place in the 133-pound division, and Billy Higgins earned third place in the 184-pound division; and
WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the students of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature congratulates the University of Nebraska at Kearney men's wrestling team on winning the 2022 Division II National Championship.
2. That copies of this resolution be sent to the University of Nebraska at Kearney and the University of Nebraska at Kearney men's wrestling team.

Laid over.
RECESS

At 11:58 a.m., on a motion by Senator Erdman, the Legislature recessed until 1:00 p.m.

AFTER RECESS

The Legislature reconvened at 1:00 p.m., Senator Arch presiding.

ROLL CALL

The roll was called and all members were present except Senator Pahls who was excused; and Senators Albrecht, Bostelman, Day, DeBoer, Friesen, Geist, B. Hansen, M. Hansen, Hughes, Moser, Murman, Pansing Brooks, and Wishart who were excused until they arrive.

COMMITTEE REPORT(S)

Government, Military and Veterans Affairs

LEGISLATIVE BILL 1205. Placed on General File with amendment.

AM2308

1. Strike the original sections and insert the following new
2. section:
3. Section 1. There is hereby created the Ernie Chambers History-Arts-Humanities Museum Assistance Fund. The fund shall be used to contribute
4. to the construction of the Ernie Chambers History-Arts-Humanities Museum
5. to honor the legacy of Nebraska's longest-serving state senator and to
6. educate the public on the legacy of the unique Nebraska Unicameral
7. Legislature and the contributions made to the Legislature by Senator
8. Chambers. The Nebraska State Historical Society shall administer the fund
9. and may spend up to ten percent of the money available in the fund for
10. administration of the fund. The fund shall consist of transfers
11. authorized by the Legislature and funds from any federal and state
12. sources. Any money in the fund available for investment shall be invested
13. by the state investment officer pursuant to the Nebraska Capital

(Signed) Tom Brewer, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1024. Title read. Considered.

Committee AM1920, found on page 609, was offered.

Senator Wayne withdrew his amendment, AM1989, found on page 621, to the committee amendment.

Senator Wayne offered his amendment, AM2341, found on page 860, to the committee amendment.
The Wayne amendment was adopted with 29 ayes, 0 nays, 18 present and not voting, and 2 excused and not voting.

Pending.

AMENDMENT(S) - Print in Journal

Senator Gragert filed the following amendment to LB809:

(AMENDMENTS TO STANDING COMMITTEE AMENDMENTS, AM2004)

1. Insert the following new sections:

2. Sec. 7. The Community Water Projects Cash Fund is created. The fund shall be administered by the Department of Environment and Energy. The State Treasurer shall credit to the fund any money transferred to the fund by the Legislature. The fund shall be used to provide grant assistance for a rural drinking water project that serves rural water connections and at least four communities in two contiguous counties in order to convert to ground water sources and to provide for water system infrastructure and distribution. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act. Any investment earnings from investment of money in the fund shall be credited to the fund.

4. Sec. 13. Section 84-612, Revised Statutes Supplement, 2021, is amended to read:

16. 84-612 (1) There is hereby created within the state treasury a fund known as the Cash Reserve Fund which shall be under the direction of the State Treasurer. The fund shall only be used pursuant to this section.

19. (2) The State Treasurer shall transfer funds from the Cash Reserve Fund to the General Fund upon certification by the Director of Administrative Services that the current cash balance in the General Fund is inadequate to meet current obligations. Such certification shall include the dollar amount to be transferred. Any transfers made pursuant to this subsection shall be reversed upon notification by the Director of Administrative Services that sufficient funds are available.

26. (3) In addition to receiving transfers from other funds, the Cash Reserve Fund shall receive federal funds received by the State of Nebraska for undesignated general government purposes, federal revenue sharing, or general fiscal relief of the state.

4. (4) The State Treasurer shall transfer fifty-four million seven hundred thousand dollars on or after July 1, 2019, but before June 15, 2021, from the Cash Reserve Fund to the Nebraska Capital Construction Fund on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

10. (5) The State Treasurer shall transfer thirty million dollars from the Cash Reserve Fund to the General Fund after November 15, 2020, but before December 31, 2020, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services. Except for the transfer authorized in this subsection, no funds shall be transferred from the Cash Reserve Fund to fulfill the obligations created under the Nebraska Property Tax Incentive Act unless the balance in the Cash Reserve Fund after such transfer will be at least equal to five hundred million dollars.

14. (6) The State Treasurer shall transfer fifty million dollars from the Cash Reserve Fund to the United States Space Command Headquarters Assistance Fund on or before June 30, 2023, but not before July 1, 2022,
22 on such dates and in such amounts as directed by the budget administrator
23 of the budget division of the Department of Administrative Services. The
24 transfer in this subsection shall not occur unless the State of Nebraska
25 is selected as the site of the United States Space Command headquarters.
26 (7) The State Treasurer shall transfer fifteen million dollars from:
27 the Cash Reserve Fund to the Community Water Projects Cash Fund on or
28 after August 1, 2022, but before June 30, 2023, on such dates and in such
29 amounts as directed by the budget administrator of the budget division of
30 the Department of Administrative Services.
31 2. Renumber the remaining sections and correct the repealer
1 accordingly.

Senator Gragert filed the following amendment to LB809A:
AM2442
1 1. Insert the following new section:
2 Sec. 2. There is hereby appropriated (1) $15,000,000 from the
3 Community Water Projects Cash Fund for FY2023-24 and (2) $0- from the
4 Community Water Projects Cash Fund for FY2023-24 to the Department of
5 Environment and Energy, for Program 513, to aid in carrying out the
6 provisions of Legislative Bill 809. One Hundred Seventh Legislature,
7 Second Session, 2022. There is included in the appropriation to this
8 program for FY2023-24 $15,000,000 Cash Funds for state aid, which shall
9 only be used for such purpose.

Senator Lathrop filed the following amendment to LB1013:
FA135
Strike "two hundred fifteen million five hundred eighty thousand" in section 1 and insert "half a
billion"

Senator Lathrop filed the following amendment to LB1011:
FA136
Strike "$286,881,233" in section 156 and insert "$300,000,000"

Senator DeBoer filed the following amendment to LB1014:
AM2472
(Amendments to Standing Committee amendments, AM2330)
1 1. On page 8, line 15, strike "$10,000,000" and insert
2 "$17,500,000"; and in line 22 strike "$10,000,000" and insert
3 "$2,500,000".

Senator Gragert filed the following amendment to LB1014:
AM2486
(Amendments to Standing Committee amendments, AM2330)
1 1. Insert the following new section:
2 Sec. 49. AGENCY NO. 84 — DEPARTMENT OF ENVIRONMENT AND ENERGY
3 Program No. 528 - Drinking Water Facilities Loan Fund
4 FY2021-22 FY2022-23
5 FEDERAL FUND $0 $15,000,000
6 PROGRAM TOTAL $0 $15,000,000
7 There is included in the appropriation to this program for
8 $15,000,000 Federal Funds estimate for state aid, which shall only be
9 used for such purpose.
10 There is included in the amount shown as aid for this program for
11 FY2022-23 $15,000,000 Federal Funds to provide grant assistance for a
12 rural drinking water project that serves rural water connections and at
13 least four communities in two contiguous counties in order to convert to
14 ground water sources and to provide for water system infrastructure and
15 distribution, which shall only be used for such purpose.
16 2. On page 24, lines 27 and 28, strike "$44,000,000" and insert
17 "$8,000,000".
18 3. On page 25, line 2, strike "$44,000,000" and insert
19 "$38,000,000".
20 4. On page 26, line 3, strike "$10,000,000" and insert "$4,000,000".
21 5. Renumber the remaining section accordingly.

Senator Hunt filed the following amendment to LB1014:
AM2446
(Amendments to Standing Committee amendments, AM2330)
1 1. On page 8, lines 3 and 4, strike "$20,000,000" and insert
2 "$40,000,000"; in lines 6 and 9 strike "$20,000,000" and insert
3 "$40,000,000"; and in lines 15 and 22 strike "$10,000,000" and insert
4 "$20,000,000".
5 2. On page 34, lines 22 and 23, strike "$47,700,000" and insert
6 "$23,700,000".

Senator J. Cavanaugh filed the following amendment to LB1014:
AM2488
(Amendments to Standing Committee amendments, AM2330)
1 1. Insert the following new section:
2 Sec. 16. AGENCY NO. 25 — DEPARTMENT OF HEALTH AND HUMAN SERVICES
3 Program No. 347 - Public Assistance
4 1. FY2021-22 FY2022-23
5 FEDERAL FUND 0 8,000,000
6 PROGRAM TOTAL 0 8,000,000
7 (1) Expenditures in this program shall not be
8 used for such purpose.
9 10. There is included in the amount shown as aid for this program
11 for FY2022-23 $8,000,000 Federal Funds for the Homeless Shelter
12 Assistance Program.
13 13. The Department of Health and Human Services shall use the
14 funds appropriated in this section for the Nebraska Homeless Assistance
15 Program for grants to any nonprofit organization that has the status of a
16 tax-exempt organization under 501(c) of the Internal Revenue Code.
17 (b) Grants awarded pursuant to this section shall be used to
18 support;
19 (i) The operational capacity of organizations providing emergency
20 housing services; or
21 (ii) Legal organizations providing services for persons facing
22 homelessness, including staffing capacity.
23 (4) Expenditures from the appropriation to this program shall not be
24 restricted to state aid if operating and administrative expenditures are
25 necessary to administer the funding appropriated pursuant to this
26 section. In such instances, an agency, board, or commission shall be
27 reimbursed through the Federal Funds appropriation to the Military
28 Department, Agency No. 31, Program No. 191, as identified in section 28
29 of this act.
30 2. On page 17, lines 27 and 28, strike "$23,100,000" and insert
31 "$15,100,000"; and in line 30 strike "$23,100,000" and insert
32 "$15,100,000".
33 3. On page 18, line 3, strike "$23,100,000" and insert
34 "$15,100,000".
35 4. Renumber the remaining sections and correct internal references
36 accordingly.
Senator Murman filed the following amendment to LB1014:

AM2476  
(AMendments to Standing Committee amendments, AM2330)

1. Insert the following new sections:
2. Sec. 15. 
   AGENCY NO. 25 — DEPARTMENT OF HEALTH AND HUMAN SERVICES
3. Program No. 175 - Rural Health Provider Incentive Program
4. | FUND   | FY2021-22 | FY2022-23 |
<table>
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<tbody>
<tr>
<td>FEDERAL</td>
<td>5,000,000</td>
<td>0</td>
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</table>
5. PROGRAM TOTAL | 5,000,000 | 0         |
6. There is included in the appropriation to this program for FY2021-22 $5,000,000 Federal Funds for state aid, which shall only be used for such purpose.
7. There is included in the amount shown as aid for this program for FY2021-22 $5,000,000 Federal Funds for repayment of qualified educational debts owed by eligible health professionals as provided in section 31-5662.
8. Sec. 16. 
   AGENCY NO. 25 — DEPARTMENT OF HEALTH AND HUMAN SERVICES
9. Program No. 176 - Nursing Incentives
10. | FUND   | FY2021-22 | FY2022-23 |
    |--------|-----------|-----------|
    | FEDERAL| 5,000,000 | 0         |
11. PROGRAM TOTAL | 5,000,000 | 0         |
12. There is included in the appropriation to this program for FY2021-22 $5,000,000 Federal Funds for state aid, which shall only be used for such purpose.

(2) There is included in the amount shown as aid for this program for FY2021-22 $5,000,000 Federal Funds for scholarships to students (a) residing in Nebraska, (b) intending to enroll or enrolled in a nursing program that (i) is approved pursuant to sections 38-2232 to 38-2236, and (ii) is offered by a public or private postsecondary institution in Nebraska, and (iii) consists of courses of instruction in regularly scheduled classes leading only to an associate degree, diploma, or certificate in nursing or an accelerated bachelor of science in nursing degree, (c) intending to practice as a licensed practical nurse, licensed registered nurse, or nurse aide upon completion of the approved nursing program, and (d) agreeing in writing to work for two years in this state as a licensed practical nurse, licensed registered nurse, or nurse aide.

3. on page 20, lines 24 and 25, strike "25,000,000 35,000,000" and insert "21,000,000 31,000,000"; in line 27 strike "$25,000,000" and insert "$21,000,000"; and in line 29 strike "$35,000,000" and insert "$31,000,000".
4. On page 35, lines 19 and 20, strike "15,000,000" and insert "13,000,000"; and in line 22 strike "$15,000,000" and insert "$13,000,000".
5. On page 36, lines 2 and 3, strike "$5,000,000" and insert "$4,000,000".
6. Renumber the remaining sections and correct internal references accordingly.

Senator Clements filed the following amendment to LB1241:

AM2485  
(Amendments to E&R amendments, ER111)

1. Insert the following new sections:
2. Sec. 5. Sections 5 to 12 of this act shall be known and may be cited as the Law Enforcement Attraction and Retention Act.
3. Sec. 6. (1) The Legislature finds that:
4. (a) The State of Nebraska and cities and counties in this state have experienced a dramatic decrease in applications for law enforcement...
7 officer positions;
8 (b) Law enforcement officers in Nebraska are leaving the law
9 enforcement profession;
10 (c) Law enforcement agencies are not retaining law enforcement
11 officers at a rate sufficient to ensure public safety;
12 (d) Law enforcement officers are the critical element of public
13 safety in Nebraska communities; and
14 (e) Maintaining a robust law enforcement workforce is in the best
15 interests of all Nebraskans.
16 (2) The purpose of the Law Enforcement Attraction and Retention Act
17 is to provide financial incentives to attract and retain law enforcement
18 officers.
19 Sec. 7. For purposes of the Law Enforcement Attraction and
20 Retention Act:
21 (1) Council means the Nebraska Police Standards Advisory Council;
22 and
23 (2) Law enforcement officer has the same meaning as in section
24 81-1401.
25 Sec. 8. (1) The council shall accept applications for retention
26 payments from individual law enforcement officers in Nebraska.
27 (2) To be eligible for a tier 1 retention incentive payment, a law
28 enforcement officer must complete twelve months of full-time employment
29 as a law enforcement officer after July 1, 2022. No law enforcement
30 officer shall receive more than one tier 1 retention incentive payment.
31 (3) To be eligible for a tier 2 retention incentive payment, a law
32 enforcement officer must complete three years of full-time employment as
33 a law enforcement officer after July 1, 2022. No law enforcement officer
34 shall receive more than one tier 2 retention incentive payment.
35 (4) To be eligible for a tier 3 retention incentive payment, a law
36 enforcement officer must complete five years of full-time employment as a
37 law enforcement officer after July 1, 2022. No law enforcement officer
38 shall receive more than one tier 3 retention incentive payment.
39 (5) Full-time law enforcement officers employed by a law enforcement
40 agency that employs more than seventy-five full-time law enforcement
41 officers shall only be eligible for a tier 1 retention incentive payment.
42 and such payment shall be seven hundred fifty dollars.
43 (6) For full-time law enforcement officers employed by a law
44 enforcement agency that employs seventy-five or fewer full-time law
45 enforcement officers:
46 (a) The tier 1 retention incentive payment shall be one thousand
47 five hundred dollars;
48 (b) The tier 2 retention incentive payment shall be two thousand
49 five hundred dollars; and
50 (c) The tier 3 retention incentive payment shall be three thousand
51 five dollars.
52 Sec. 9. (1) The council shall accept applications for grants from
53 law enforcement agencies in Nebraska. The grants shall be used to provide
54 hiring bonuses to newly hired full-time law enforcement officers.
55 (2) A law enforcement agency shall be eligible for a grant under
56 this section if:
57 (a) The law enforcement agency employs fewer than one hundred fifty
58 full-time law enforcement officers; and
59 (b) The law enforcement agency is not at the recommended level of
60 staffing under standards set by the council.
61 Sec. 10. The council may adopt and promulgate rules and regulations
62 to carry out the Law Enforcement Attraction and Retention Act.
63 Sec. 11. It is the intent of the Legislature to appropriate five
64 million dollars each fiscal year to the Nebraska Commission on Law
65 Enforcement and Criminal Justice for purposes of carrying out the Law
66 Enforcement Attraction and Retention Act.
The Law Enforcement Attraction and Retention Act terminates on June 30, 2028.

Sections 5, 6, 7, 8, 9, 10, 11, and 12 of this act become operative on July 1, 2022. The other sections of this act become operative on their effective date.

2. Reumber the remaining sections accordingly.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 346. Introduced by Morfeld, 46; Aguilar, 35; Albrecht, 17; Arch, 14; Blood, 3; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Day, 49; DeBoer, 10; Dorn, 30; Erdman, 47; Flood, 19; Friesen, 34; Geist, 25; Gragert, 40; Halloran, 33; Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hilkemann, 4; Hughes, 44; Hunt, 8; Jacobson, 42; Kolterman, 24; Lathrop, 12; Lindstrom, 18; Linehan, 39; Lowe, 37; McCollister, 20; McDonnell, 5; McKinney, 11; Moser, 22; Murman, 38; Pansing Brooks, 28; Sanders, 45; Slama, 1; Stinner, 48; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, on February 24, 2022, a massive military assault was launched by the Russian government on the sovereign democratic nation of Ukraine; and

WHEREAS, the continuing assault has been met by the strong resistance of the Ukrainian military joined by armed civilians; and

WHEREAS, Russian attacks on nonmilitary, residential areas of Ukraine's cities have forced the evacuation of millions of civilians to neighboring countries; and

WHEREAS, the United States along with other nations have condemned the invasion and provided humanitarian and military aid.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature stands with the Ukrainian people in the defense of their sovereign nation, its democratic values, and their very lives and calls on Nebraskans to support the Ukrainian people.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 1024. Senator M. Cavanaugh offered the following amendment to the Wayne amendment:

AM2479

(Amendments to AM2341)

1 1. On page 1, line 3, strike "may" and insert "shall".

Senator M. Cavanaugh withdrew her amendment.

Senator Friesen offered the following amendment to the Wayne amendment:
AM2471
(Amendments to AM2341)
1 1. On page 10, strike lines 3 and 4.

The Friesen amendment was adopted with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

The committee amendment, as amended, was adopted with 29 ayes, 0 nays, 18 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 19 present and not voting, and 2 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 939, ER109, found on page 651, was adopted.

Senator M. Cavanaugh offered the following motion:
MO162
Bracket until March 25, 2022

Speaker requested to pass over LB939.

AMENDMENT(S) - Print in Journal

Senator J. Cavanaugh filed the following amendment to LB939:
AM2487 is available in the Bill Room.

NOTICE OF COMMITTEE HEARING(S)
Transportation and Telecommunications
Room 1113 12:00 PM
Tuesday, March 29, 2022
Chad J. Tessman - Nebraska Motor Vehicle Industry Licensing Board
Thomas R. McCaslin - Nebraska Motor Vehicle Industry Licensing Board
Barbara J. Keegan - Board of Public Roads Classifications and Standards
James A. Litchfield - Board of Public Roads Classifications and Standards
Edward R., Sr. Wootton - Board of Public Roads Classifications and Standards
Brandie S. Neemann - Board of Public Roads Classifications and Standards

(Signed) Curt Friesen, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 347. Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Arch, 14; Blood, 3; Briese, 41; Hansen, M., 26; Hunt, 8; Lowe, 37.
PURPOSE: The purpose of this resolution is to propose an interim study to examine the statutes governing metropolitan utilities districts in Chapter 14 of Nebraska Revised Statutes. The goal of the study shall be to update and modernize statutes through the elimination of obsolete, antiquated, and duplicate statutory language.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Urban Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 348. Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Arch, 14; Blood, 3; Briese, 41; Hansen, M., 26; Hunt, 8; Lowe, 37.

PURPOSE: The purpose of this resolution is to propose an interim study to review the occupational regulations for master plumbers. Such a review is required by section 84-948, and this study shall fulfill the requirements of the Occupational Board Reform Act. The study shall include an examination of the guidelines issued by various municipalities to determine qualifications for master plumbers pursuant to sections 18-1901 to 18-1920.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Urban Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 349. Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Arch, 14; Blood, 3; Briese, 41; Hansen, M., 26; Hunt, 8; Lowe, 37.

PURPOSE: The purpose of this resolution is to propose an interim study to examine any issues within the jurisdiction of the Urban Affairs Committee of the Legislature that may arise during the interim.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Urban Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

AMENDMENT(S) - Print in Journal

Senator Blood filed the following amendment to LB1014:

AM2491

(Amendments to Standing Committee amendments, AM2330)

1. Insert the following new section:
2. Sec. 11. AGENCY NO. 13 — STATE DEPARTMENT OF EDUCATION
3. Program No. 25 - Education, Administration, and Support
4. FY2021-22 FY2022-23
5. FEDERAL FUND -0- 20,000,000
6. PROGRAM TOTAL -0- 20,000,000
7. (1) There is included in the appropriation to this program for
8. FY2022-23 $20,000,000 Federal Funds for state aid, which shall only be
9. used for such purpose.
10. (2)(a) The State Department of Education shall administer a program
11. to provide grants to all school districts for purposes of school teacher
12. retention.
13. (b) The amount of the grant provided to each school district shall
14. be a proportionate share of the total amount appropriated under this
15. section. Each school district's share shall be based on the percentage of
16. the Nebraska population residing in such school district according to the
17. most recent federal decennial census or the most recent revised certified
18. count by the United States Bureau of the Census.
19. (c) A school district receiving such grant shall divide the grant
20. evenly among all eligible school teachers at the time of receiving the
21. grant.
22. (d) For purposes of this section, eligible school teacher means a
23. certified teacher employed by a school. Eligible school teacher does not
24. include any school administrator.
25. 2. On page 31, lines 25 and 26, strike the second "$50,000,000" and
26. insert "$30,000,000"; and in line 30 strike "$50,000,000" and insert
1. "$30,000,000".
2. 3. On page 32, line 6, strike "$30,000,000" and insert
3. "$30,000,000".
4. 4. Renumber the remaining sections and correct internal references
5. accordingly.

GENERAL FILE

LEGISLATIVE BILL 121. Title read. Considered.

SENATOR HUGHES PRESIDING

Senator Hunt moved for a call of the house. The motion prevailed with 28 ayes, 5 nays, and 16 not voting.
Senator McCollister requested a roll call vote, in reverse order, on the advancement of the bill.

Voting in the affirmative, 25:

Blood  Day  Hansen, M.  McDonnell  Vargas  
Bostar  DeBoer  Hunt  McKinney  Walz  
Brandt  Dorn  Kolterman  Morfeld  Wayne  
Cavanaugh, J.  Geist  Lathrop  Pansing  Brooks  Williams  
Cavanaugh, M.  Gragert  McCollister  Stinner  Wishart  

Voting in the negative, 17:

Albrecht  Erdman  Hilgers  Lowe  Slama  
Brewer  Flood  Hughes  Moser  
Briese  Halloran  Jacobson  Murman  
Clements  Hansen, B.  Lindstrom  Sanders  

Present and not voting, 3:

Aguilar  Arch  Linehan  

Excused and not voting, 4:

Bostelman  Friesen  Hilkemann  Pahls  

Advanced to Enrollment and Review Initial with 25 ayes, 17 nays, 3 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

**LEGISLATIVE BILL 697A.** Title read. Considered.

Senator M. Cavanaugh offered the following motion:

MO168  Bracket until March 25, 2022.

**SENATOR ARCH PRESIDING**

Senator M. Cavanaugh withdrew her motion to bracket.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 805A.** Title read. Considered.

Senator Hughes offered his amendment, AM2396, found on page 874.

Senator M. Cavanaugh offered the following motion:
MO169
Bracket until March 25, 2022.

Senator M. Cavanaugh withdrew her motion to bracket.

The Hughes amendment was adopted with 29 ayes, 1 nay, 15 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 30 ayes, 1 nay, 14 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 848A.** Title read. Considered.

Senator M. Cavanaugh offered the following motion:

MO170
Bracket until March 25, 2022.

Senator M. Cavanaugh withdrew her motion to bracket.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 896A.** Title read. Considered.

Senator M. Cavanaugh offered the following motion:

MO171
Bracket until March 25, 2022.

Senator M. Cavanaugh withdrew her motion to bracket.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 1112A.** Title read. Considered.

Senator M. Cavanaugh offered the following motion:

MO172
Bracket until March 25, 2022.

Senator M. Cavanaugh withdrew her motion to bracket.

Advanced to Enrollment and Review Initial with 27 ayes, 0 nays, 19 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 1241A.** Title read. Considered.

Senator M. Cavanaugh offered the following motion:

MO173
Bracket until March 25, 2022.
Senator M. Cavanaugh withdrew her motion to bracket.

Advanced to Enrollment and Review Initial with 29 ayes, 0 nays, 17 present and not voting, and 3 excused and not voting.

AMENDMENT(S) - Print in Journal

Senator Albrecht filed the following amendment to LB1014:

AM2495

(Amendments to Standing Committee amendments, AM2330)

1. Insert the following new section:

2. Sen. AGENCY NO. 13 — STATE DEPARTMENT OF EDUCATION

3. Program No. 25 - Education, Administration, and Support

4. FEDERAL FUND est. FY2021-22 FY2022-23

5. PROGRAM TOTAL 30,000,000 30,000,000

6. 1. There is included in the appropriation to this program for

7. FY2021-22 $30,000,000 Federal Funds estimate for state aid, which shall

8. only be used for such purpose. There is included in the appropriation to

9. this program for FY2022-23 $30,000,000 Federal Funds estimate for state

10. aid, which shall only be used for such purpose.

11. 2. There is included in the amount shown as aid for FY2021-22

12. $30,000,000 Federal Funds estimate to provide family-directed education

13. recovery accounts for low-income children and families impacted by the

14. COVID-19 public health emergency. There is included in the amount shown

15. as aid for FY2022-23 $30,000,000 Federal Funds estimate for family-

16. directed education recovery accounts for low-income children and families

17. impacted by the COVID-19 public health emergency.

18. (3) The State Department of Education shall contract with an

19. organization, or other capable vendor, by July 1, 2022, to administer a

20. three-year program, for school years 2022-23, 2023-24, and 2024-25, to

21. provide family-directed education recovery accounts. The amount of

22. funding available for any school year shall be no more than $20,000,000.

23. The department shall establish the application and application process

24. with the selected organization or vendor. The administrative costs of the

25. selected organization or vendor shall not exceed ten percent of the

26. amount of funding provided in a school year.

27. (4) A child shall be eligible to participate if the child (a) is a

28. Nebraska resident, (b) attends a public, nonpublic, or exempt school in

29. kindergarten through grade twelve, and (c) has a family income that would

30. qualify for the federal free-lunch program. The total amount of an award

31. for a child shall not exceed $2,000 for each school year of the program.

32. If there are not sufficient funds to award to all applicants, then first

33. priority shall be for a child with demonstrated academic deficiency in

34. mathematics, science, or language arts. The next priority shall be for a

35. child who has a sibling already receiving funding. The remaining

36. applications shall be funded on a first come, first served basis.

37. (5) Funds shall be used to address the learning loss resulting from

38. the COVID-19 pandemic by paying for eligible educational services.

39. Eligible educational services include, but are not limited to, private

40. school tuition, tutoring, digital-learning subscriptions, exempt school

41. curriculum, and other K-12 educational services. Funds shall be paid,

42. upon written direction provided by a parent or guardian, to the entity

43. providing eligible educational services to the child. Funds may not be

44. used to purchase computing devices or equipment. Funding shall continue

45. with an eligible child from the time of the award for the duration of the

46. program.
22 (6) By August 1 after the end of each school year of the program and
23 by August 1 one-year after the program has ended, the department shall
24 collect available student performance data in mathematics, science, and
25 language arts and report, in the aggregate, such data to the Governor and
26 the Legislature. Such report shall be submitted electronically.
27 (7) It is the intent of the Legislature that funding for family-
28 directed education recovery accounts continue until FY2025-26.
29 (8) Expenditures from the appropriation to this program shall not be
30 restricted to state aid if operating and administrative expenditures are
31 necessary to administer the funding appropriated pursuant to this
32 section. In such instances, an agency, board, or commission shall be
33 reimbursed through the Federal Fund appropriation to the Military
34 Department, Agency No. 31, Program No. 191, as identified in section 29
35 of this act.

5.2. On page 11, lines 17 and 18, strike "$5,000,000" and insert
6 "$25,000,000"; and in lines 20 and 23 strike "$55,000,000" and insert
7 "$25,000,000".
8. On page 12, lines 5 and 6, strike "$20,000,000" and insert
9 "$10,000,000"; and in line 7 strike "$15,000,000" and insert
10 "$5,000,000".
11. On page 14, lines 11 and 12, strike "$5,000,000" and insert
12 "$25,000,000"; in line 14 strike "$55,000,000" and insert "$25,000,000";
13 in line 19 strike "$41,250,000" and insert "$21,250,000"; and in line 21
14 strike "$13,750,000" and insert "$3,750,000".
15. On page 15, lines 8 and 9, strike "$20,000,000" and insert
16 "$10,000,000"; and in line 10 strike "$15,000,000" and insert
17 "$5,000,000".
18. On page 16, lines 4 and 5, strike "$41,250,000" and insert
19 "$35,625,000".
20. On page 17, lines 7 and 8, strike "$5,000,000" and insert
21 "$2,500,000"; and in lines 10 and 13 strike "$5,000,000" and insert
22 "$2,500,000".
23. On page 18, lines 2 and 3, strike "$28,000,000" and insert
24 "$25,500,000"; in line 5 strike "$28,000,000" and insert "$25,500,000"; in
25 line 10 strike "$10,000,000" and insert "$8,000,000"; and in line 12
26 strike "$3,000,000" and insert "$2,500,000".
27. On page 19, lines 1 and 2, strike the second "$10,000,000" and
28 insert "$30,000,000"; and in lines 6 and 12 strike "$10,000,000" and
29 insert "$30,000,000".

Senator Arch filed the following amendment to LB1014:

AM2508
(Amendments to Standing Committee amendments, AM2330)
1 1. On page 11, lines 17 and 18, strike "$5,000,000" and insert
2 "$47,500,000"; and in lines 20 and 23 strike "$55,000,000" and insert
3 "$47,500,000".
4. On page 12, line 6, strike "$20,000,000" and insert
5 "$15,000,000"; and in line 7 strike "$15,000,000" and insert
6 "$12,500,000".
7. On page 14, lines 11 and 12, strike "$5,000,000" and insert
8 "$47,500,000"; in line 14 strike "$55,000,000" and insert "$47,500,000";
9 in line 19 strike "$41,250,000" and insert "$35,625,000"; and in line 21
10 strike "$13,750,000" and insert "$11,875,000".
11. On page 15, line 9, strike "$20,000,000" and insert
12 "$15,000,000"; and in line 10 strike "$15,000,000" and insert
13 "$12,500,000".
14. On page 17, lines 7 and 8, strike "$5,000,000" and insert
15 "$2,500,000"; and in lines 10 and 13 strike "$5,000,000" and insert
16 "$2,500,000".
17. On page 18, lines 2 and 3, strike "$28,000,000" and insert
18 "$25,500,000"; in line 5 strike "$28,000,000" and insert "$25,500,000"; in
19 line 10 strike "$10,000,000" and insert "$8,000,000"; and in line 12
20 strike "$3,000,000" and insert "$2,500,000".
21. On page 19, lines 1 and 2, strike the second "$10,000,000" and
22 insert "$30,000,000"; and in lines 6 and 12 strike "$10,000,000" and
23 insert "$30,000,000".

Senator Geist filed the following amendment to LB1014:

AM2498
(Amendments to Standing Committee amendments, AM2330)

1. Insert the following new sections:

2. Sec. 20. AGENCY NO. 25 — DEPARTMENT OF HEALTH AND HUMAN SERVICES

Program No. 502 - Public Health Aid

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>FY2021-22</th>
<th>FY2022-23</th>
</tr>
</thead>
<tbody>
<tr>
<td>FEDERAL FUND</td>
<td>500,000</td>
<td>500,000</td>
</tr>
<tr>
<td>PROGRAM TOTAL</td>
<td>500,000</td>
<td>500,000</td>
</tr>
</tbody>
</table>

There is included in the appropriation to this program for FY2021-22 $500,000 Federal Funds for state aid, which shall only be used for such purpose.

The Department of Transportation shall use the funds appropriated in this section to conduct a feasibility study for a high-speed commuter rail service between Omaha and Lincoln. Such study shall include cost estimates, timelines, and economic impacts for the creation of such service.

3. Sec. 46. AGENCY NO. 72 — DEPARTMENT OF ECONOMIC DEVELOPMENT

Program No. 603 - Industrial Recruitment

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>FY2021-22</th>
<th>FY2022-23</th>
</tr>
</thead>
<tbody>
<tr>
<td>FEDERAL FUND</td>
<td>500,000</td>
<td>500,000</td>
</tr>
<tr>
<td>PROGRAM TOTAL</td>
<td>500,000</td>
<td>500,000</td>
</tr>
</tbody>
</table>

There is included in the appropriation to this program for FY2022-23 $3,000,000 for state aid, which shall only be used for such purpose.

The Department of Economic Development shall use the funds appropriated in this section for the purpose of providing assistance to a county agricultural society with facilities within a city of the primary class. Such funds shall be used for critical upgrades.

2. On page 24, lines 27 and 28, strike "$47,000,000" and insert "$44,200,000"; and in line 30 strike "$47,000,000" and insert "$44,200,000".

12. On page 25, line 5, strike "$20,000,000" and insert "$17,000,000".

14. On page 37, lines 3 and 4, strike "$20,000,000" and insert "$19,000,000"; and in lines 6 and 9 strike "$20,000,000" and insert "$19,000,000".

5. Renumber the remaining sections and correct internal references accordingly.

Senator Briese filed the following amendment to LB1014:

AM2506

(Amendments to Standing Committee amendments, AM2330)

1. Insert the following new section:

2. Sec. 15. AGENCY NO. 25 — DEPARTMENT OF HEALTH AND HUMAN SERVICES

Program No. 347 - Public Assistance

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>FY2021-22</th>
<th>FY2022-23</th>
</tr>
</thead>
<tbody>
<tr>
<td>FEDERAL FUND</td>
<td>500,000</td>
<td>500,000</td>
</tr>
<tr>
<td>PROGRAM TOTAL</td>
<td>500,000</td>
<td>500,000</td>
</tr>
</tbody>
</table>

There is included in the appropriation to this program for FY2022-23 $4,000,000 Federal Funds for state aid, which shall only be used for such purpose.

There is included in the amount shown as aid for this program for FY2022-23 $4,000,000 Federal Funds to contract with a statewide nonprofit
organization that supports children and families to increase child care
capacity in areas of need by providing grants to expand or start-up child
care programs for children from birth through five years of age.
Expenditures from the appropriation to this program shall not be
restricted to state aid if operating and administrative expenditures are
necessary to administer the funding appropriated pursuant to this
section. In such instances, an agency, board, or commission shall be
reimbursed through the Federal Fund appropriation to the Military
Department, Agency No. 31, Program No. 191, as identified in section 29
of this act.

2. On page 24, lines 27 and 28, strike "$7,000,000" and insert
"$47,000,000"; and in line 30 strike "$47,000,000" and insert
"$43,000,000";
3. On page 25, line 5, strike "$20,000,000" and insert
"$16,000,000";
4. Renumber the remaining sections and correct internal references
2 accordingly.

COMMITTEE REPORT(S)
Revenue

LEGISLATIVE BILL 919. Placed on General File with amendment. AM2513 is available in the Bill Room.

(Signed) Lou Ann Linehan, Chairperson

AMENDMENT(S) - Print in Journal

Senator McKinney filed the following amendment to LB1270:
AM2340

(Amendments to Standing Committee amendments, AM1984)

2 Sec. 8. Section 81-1414.15, Revised Statutes Supplement, 2021, is
amended to read:
4 81-1414.15 (1) The chief of police, sheriff, Superintendent of Law
5 Enforcement and Public Safety, or the head administrator of a law
6 enforcement agency or an agency employing a law enforcement officer shall
7 submit a personnel change in status form as approved by the council to
8 the director of the training center within seven calendar days after the
de date a law enforcement officer is hired by the agency or leaves
employment with the agency.
11 (2) Each law enforcement agency or agency employing a law
12 enforcement officer shall maintain a record regarding the reason or
13 reasons for, and circumstances surrounding, a separation of service for
each law enforcement officer employed by that agency. Such record shall
15 be retained for five years following a law enforcement officer's
16 separation from the agency.
17 (3) Each law enforcement agency or agency employing a law
18 enforcement officer shall maintain any and all records of officer conduct
19 which could constitute grounds for revocation or suspension of a law
20 enforcement certification by the commission. Such record shall include
21 any and all records of conduct which could constitute grounds for
22 revocation or suspension under subdivision (6) of section 81-1403. Such
23 record, which shall include the name of the law enforcement officer,
24 shall be permanently retained and shall not be destroyed retained for the
25 duration of the law enforcement officer's employment with the agency and
26 for ten years following his or her separation from the agency.
1414.15 (1) The chief of police, sheriff, Superintendent of Law Enforcement
2 and Public Safety, or the head administrator of a law enforcement agency
3 or an agency employing a law enforcement officer shall make a report to
4 the commission of any law enforcement officer who is terminated from
5 employment or allowed to resign in lieu of termination for conduct
6 described in subdivision (6) of section 81-1403. The report shall
7 include, but not be limited to, a summary of the allegations pertaining
8 to the officer and identification of any witnesses relevant to the
9 allegations, and shall be filed with the commission within thirty
10 calendar days of the termination or resignation in lieu of termination.
11 (5) Failure to comply with this section shall constitute neglect of
12 duty.
13 Sec. 9. (i) Beginning June 1, 2023, each city and county attorney
14 and the Attorney General shall maintain a Brady and Giglio list in
15 accordance with this section. The list shall identify law enforcement
16 officers who, due to misconduct or otherwise, have impaired their own
17 credibility such that disclosure to the defendant is required under Brady
18 v. Maryland, 373 U.S. 83 (1963), and Giglio v. United States, 405 U.S.
19 150 (1972), and subsequent cases of the Supreme Court of the United
20 States and the Supreme Court of Nebraska. The list shall contain a
21 description of the reason disclosure is required.
22 (ii) The list required by this section is a public document and shall
23 be posted on the city, county, and state website. The list shall be
24 updated at least monthly.
25 (iii) On or before January 1, 2023, the Nebraska Commission on Law
26 Enforcement and Criminal Justice shall adopt and promulgate rules and
27 regulations to carry out this section, including, but not limited to,
28 criteria and processes for determining when disclosure is required and
29 what is required to be disclosed.
30 Sec. 10. Sections 8, 9, and 11 of this act become operative three
31 calendar months after the adjournment of this legislative session. The
32 other sections of this act become operative on their effective date.
33 Sec. 11. Original section 81-1414.15, Revised Statutes Supplement,
34 2021, is repealed.
35 2. On page 2, after line 25 insert the following new subsection:
36 “(7) A law enforcement officer shall not be eligible for a tier 1,
37 tier 2, or tier 3 retention incentive payment under this section if:
38 (a) Such law enforcement officer’s certification has ever been
39 revoked;
40 (b) Such law enforcement officer has ever been convicted of a felony
41 or Class I misdemeanor; or
42 (c) Such law enforcement officer has ever been adjudicated by the
43 council to have engaged in serious misconduct, as such term is defined in
44 section 81-1401.”.
45 3. Renumber the remaining section accordingly.

Senator McKinney filed the following amendment to LB1270:
AM2339
(Amendments to Standing Committee amendments, AM1984)
1 1. On page 2, after line 25 insert the following new subsection:
2 “(7) A law enforcement officer shall not be eligible for a tier 1,
3 tier 2, or tier 3 retention incentive payment under this section if:
4 (a) Such law enforcement officer’s certification has ever been
5 revoked;
6 (b) Such law enforcement officer has ever been convicted of a felony
7 or Class I misdemeanor; or
8 (c) Such law enforcement officer has ever been adjudicated by the
9 council to have engaged in serious misconduct, as such term is defined in
10 section 81-1401.”.

Senator Linehan filed the following amendment to LB919:
FA137
Amend AM2513: Strike Section 1
Senator Linehan filed the following amendment to LB919:
FA138
Amend AM2513: Strike Section 2

Senator Linehan filed the following amendment to LB919:
FA139
Amend AM2513: Strike Section 3

Senator Linehan filed the following amendment to LB919:
FA140
Amend AM2513: Strike Section 4

Senator M. Cavanaugh filed the following amendment to LB1023:
AM2496
(Amendments to AM2300)
1 1. On page 5, after line 27 insert the following new subsection:
2 "(9) Neither the Director of Natural Resources nor any employee of
3 the Department of Natural Resources shall have a financial interest,
4 either personally or through an immediate family member, in any purchase,
5 sale, or lease of real property relating to the construction or
6 development of the lake or in any contract entered into by the department
7 relating to the construction, development, or management of the lake. For
8 purposes of this subsection, immediate family member means a spouse,
9 child, sibling, parent, grandparent, or grandchild."
10 2. On page 8, after line 21 insert the following new subsection:
11 "(5) No member of the Game and Parks Commission or any employee of
12 the commission shall have a financial interest, either personally or
13 through an immediate family member, in any purchase, sale, or lease of
14 real property relating to a project authorized in this section or in any
15 contract entered into by the commission relating to a project authorized
16 in this section. For purposes of this subsection, immediate family member
17 means a spouse, child, sibling, parent, grandparent, or grandchild."

GENERAL FILE

LEGISLATIVE BILL 1084. Title read. Considered.

Senator M. Cavanaugh offered the following motion:
MO174
Bracket until March 29, 2022.

SENATOR WILLIAMS PRESIDING

Senator M. Cavanaugh withdrew her motion to bracket.

Senator M. Cavanaugh offered the following motion:
MO175
Bracket until March 30, 2022.

Senator M. Cavanaugh withdrew her motion to bracket.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 8 present
and not voting, and 5 excused and not voting.
LEGISLATIVE BILL 1083. Title read. Considered.

Committee AM2142, found on page 858, was offered.

Pending.

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB1014:
AM2516
(Amendments to Standing Committee amendments, AM2330)
1 1. Strike section 11.
2 2. Renumber the remaining sections and correct internal references
3 accordingly.

Senator Wayne filed the following amendment to LB1014:
AM2518
(Amendments to Standing Committee amendments, AM2330)
1 1. Strike section 12 and insert the following new sections:
2 Sec. 29. AGENCY NO. 33 — GAME AND PARKS COMMISSION
3 Program No. 967 - Improvements to State Parks
4 5 FEDERAL FUND
5 0- 250,000
6 PROGRAM TOTAL
7 0- 250,000
8 The Game and Parks Commission is hereby authorized to contract with
9 a nonprofit organization to provide drainage and flooding work and
10 building repairs for the Mayhew Cabin state historical site with the
11 appropriation of $250,000 Cash Funds in this section to this program for
12 FY2022-23.
13 Sec. 44. AGENCY NO. 72 — DEPARTMENT OF ECONOMIC DEVELOPMENT
14 Program No. 603 - Industrial Recruitment
15 16 FEDERAL FUND
16 FY2021-22 FY2022-23
17 PROGRAM TOTAL
18 0- 6,000,000
19 There is included in the appropriation to this program for FY2022-23
20 $6,000,000 for state aid, which shall only be used for such purpose
21 appropriated in this section for the purpose of providing assistance to a
22 county agricultural society with facilities within a city of the primary
23 class. Such funds shall be used for critical upgrades.
24 2. Renumber the remaining sections and correct internal references
25 accordingly.

Senator Wayne filed the following amendment to LB1014:
AM2517
(Amendments to Standing Committee amendments, AM2330)
1 1. Strike section 41 and insert the following new section:
2 Sec. 41. AGENCY NO. 72 — DEPARTMENT OF ECONOMIC DEVELOPMENT
3 Program No. 603 - Industrial Recruitment
4 5 FEDERAL FUND
5 FY2021-22 FY2022-23
6 PROGRAM TOTAL
7 0- 50,000,000
8 There is included in the appropriation to this program for FY2022-23
9 $50,000,000 Federal Funds for state aid, which shall only be used for
10 such purpose.
11 There is included in the amount show as aid for this program for
12 FY2022-23 $50,000,000 Federal Funds for grants to capital projects
13 eligible under the Shovel-Ready Capital Recovery and Investment Act,
which shall only be used for such purpose.

It is the intent of the Legislature that, in addition to the requirements of the Shovel-Ready Capital Recovery and Investment Act, the Department of Economic Development shall divide total appropriations, including any General Fund appropriations, for grants to capital projects eligible under the act equally by each congressional district and give priority to grant requests less than or equal to $5,000,000. After eligible grantees with priority status have been awarded grant funds, remaining funds may be awarded on a statewide basis with the department considering each project based on the overall economic impact of the project to the respective community and the overall benefit to the State of Nebraska. It is the intent of the Legislature that the department make reasonable adjustments to dates and deadlines and request additional documentation pursuant to any requirements for use of Federal Funds received pursuant to the federal American Rescue Plan Act of 2021. Expenditures from the appropriation to this program shall not be restricted to state aid if operating and administrative expenditures are necessary to administer the funding appropriated pursuant to this section. In such instances, an agency, board, or commission shall be reimbursed through the Federal Fund appropriation to the Military Department, Agency No. 31, Program No. 191, as identified in section 28 of this act.

MOTION(S) - Print in Journal

Senator M. Cavanaugh filed the following motion to LB1083:

MO176
Bracket until March 31, 2022.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator M. Cavanaugh name added to LB121.
Senator M. Cavanaugh name added to LB717.
Senator M. Cavanaugh name added to LB825.
Senator M. Cavanaugh name added to LB925.
Senator M. Cavanaugh name added to LB1073.

VISITOR(S)

Visitors to the Chamber were students from Greenheart Student Exchange; twelfth-grade students from Wilber Clatonia School, Wilber; fourth-grade students from Ackerman Elementary School, Omaha.

ADJOURNMENT

At 8:01 p.m., on a motion by Senator Slama, the Legislature adjourned until 9:00 a.m., Wednesday, March 23, 2022.

Patrick J. O’Donnell
Clerk of the Legislature
FORTY-SIXTH DAY - MARCH 23, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

FORTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, March 23, 2022

PRAYER

The prayer was offered by Dean Vanessa Clark, Trinity Episcopal Cathedral, Omaha.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Gragert.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Williams presiding.

The roll was called and all members were present except Senator Pahls who was excused; and Senators Bostar, Brewer, Flood, and Pansing Brooks who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-fifth day was approved.

ANNOUNCEMENT

The Chair announced the birthday of Senator Lindstrom.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 350. Introduced by Morfeld, 46.

WHEREAS, the Nebraska Library Association hosts an annual advocacy day to honor outstanding volunteers who give their time and talent to Nebraska libraries; and
WHEREAS, volunteers are the lifeblood of Nebraska libraries and they help make libraries places to learn, meet, and gather; and
WHEREAS, Lincoln City Libraries benefit greatly from volunteers that contribute so much to help create the excellent library system available in the Lincoln community; and

WHEREAS, Gideon Terwilleger, Marchë Cepure, and Lauren Niedergeses were recognized this year by the Nebraska Library Association as outstanding volunteers.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates and sends good wishes to Gideon Terwilleger, Marchë Cepure, and Lauren Niedergeses for their outstanding volunteer work with Nebraska libraries.

2. That copies of this resolution be sent to Gideon Terwilleger, Marchë Cepure, and Lauren Niedergeses.

Laid over.

COMMITTEE REPORT(S)
Health and Human Services

The Health and Human Services Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Brooke J. Fitzpatrick - Commission for the Deaf and Hard of Hearing
Sandra Shaw - Commission for the Deaf and Hard of Hearing


The Health and Human Services Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Douglas A. Bauer - State Board of Health
Douglas Vander Broek - State Board of Health
Joshua M. Vest - State Board of Health


The Health and Human Services Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Michael A. Greene - Nebraska Rural Health Advisory Commission
Jeffrey Wallman - Nebraska Rural Health Advisory Commission
FORTY-SIXTH DAY - MARCH 23, 2022

Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) John Arch, Chairperson

MOTION(S) - Return LB1073 to Select File

Senator M. Hansen moved to return LB1073 to Select File for the following specific amendment:

FA141
Strike Section 1

Senator M. Hansen withdrew his motion to return.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1073. With Emergency Clause.

A BILL FOR AN ACT relating to state government; to require the Governor to apply for emergency rental assistance under the federal American Rescue Plan Act of 2021; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?""

Senator Wayne requested a roll call vote, in reverse order.

Voting in the affirmative, 26:

Aguilar    Day    Kolterman    Morfeld    Williams
Blood      DeBoer  Lathrop     Pansing      Brooks Wishart
Brandt     Dorn    Lindstrom   Stinner
Briese     Gragert McCollister Vargas
Cavanaugh, J. Hansen, M. McDonnell Walz
Cavanaugh, M. Hunt McKinney Wayne

Voting in the negative, 16:

Albrecht   Geist    Hughes    Moser
Bostelman  Halloran Jacobson Murman
Clements   Hansen, B. Linehan Sanders
Erdman     Hilgers  Lowe      Slama

Present and not voting, 2:
Absent and not voting, 1:

Hilkemann

Excused and not voting, 4:

Bostar Brewer Flood Pahls

Having failed to receive a constitutional two-thirds majority voting in the affirmative, the bill failed to pass with the emergency clause attached. The question is, "Shall the bill pass with the emergency clause stricken?"

Voting in the affirmative, 26:

Aguilar Day Kolterman Morfeld Williams
Blood DeBoer Lathrop Pansing Brooks Wishart
Brandt Dorn Lindstrom Stinner
Briese Gragert McCollister Vargas
Cavanaugh, J. Hansen, M. McDonnell Walz
Cavanaugh, M. Hunt McKinney Wayne

Voting in the negative, 15:

Albrecht Geist Hilgers Linehan Murman
Clements Halloran Hughes Lowe Sanders
Erdman Hansen, B. Jacobson Moser Slama

Present and not voting, 4:

Arch Bostelman Friesen Hilkemann

Excused and not voting, 4:

Bostar Brewer Flood Pahls

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

GENERAL FILE

LEGISLATIVE BILL 1014. Senator Wayne requested a point of order that his motion to indefinitely postpone pursuant to Rule 6, Section 3(f), should be taken up prior to the reading of the bill's title.

The Chair ruled the point of order was out of order because the motion was not the first item for consideration under Rule 1, Section 17(c).
Senator Wayne challenged the ruling of the Chair. The question is, "Shall the Chair be overruled?"

Voting in the affirmative, 9:

Blood  Cavanaugh, M.  Hansen, M.  McKinney  Wayne  
Cavanaugh, J.  Day  Hunt  Walz

Voting in the negative, 31:

Aguilar  Dorn  Hilgers  McCollister  Stinner  
Albrecht  Erdman  Hughes  McDonnell  Williams  
Arch  Friesen  Jacobson  Moser  Wishart  
Bostelman  Geist  Koltermann  Murman  
Brandt  Gragert  Lindstrom  Pansing Brooks  
Briese  Halloran  Linehan  Sanders  
Clements  Hansen, B.  Lowe  Slama

Present and not voting, 5:

DeBoer  Hilkemann  Lathrop  Morfeld  Vargas

Excused and not voting, 4:

Bostar  Brewer  Flood  Pahls

The Wayne motion to overrule the Chair failed with 9 ayes, 31 nays, 5 present and not voting, and 4 excused and not voting.

The Chair was sustained.

Committee AM2330, found on page 898, was offered.

Senator Arch offered his amendment, AM2508, found on page 916, to the committee amendment.

SENATOR HUGHES PRESIDING

SPEAKER HILGERS PRESIDING

Pending.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 1073. Correctly Enrolled.

(Signed) Terrell McKinney, Chairperson
RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 331, 332, 334, and 336 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LB1073 and LRs 331, 332, 334, and 336.

GENERAL FILE

LEGISLATIVE BILL 1014. Senator Arch renewed his amendment, AM2508, found on page 916 and considered in this day's Journal, to the committee amendment.

The Arch amendment was adopted with 39 ayes, 0 nays, 5 present and not voting, and 5 excused and not voting.

Pending.

AMENDMENT(S) - Print in Journal

Senator Sanders filed the following amendment to LB853:

AM2371

(Amendments to Standing Committee amendments, AM1601)

1. Strike the original sections and all amendments thereto and insert the following new sections:
2. Section 1. Section 77-3506, Revised Statutes Cumulative Supplement, 2020, is amended to read:
3. 77-3506 (1) All homesteads in this state shall be assessed for taxation the same as other property, except that:
4. (a) There shall be exempt from taxation, on any homestead described in subdivision (2)(a), (b), (c), (d), (e), or (f) of this section, one hundred percent of the exempt amount; and -
5. (b) There shall be exempt from taxation, on any homestead described in subdivision (2)(g) of this section, an amount equal to the exempt amount multiplied by the applicable percentage from subsection (3) of this section. Such percentage shall be based on the disability percentage of the veteran.
6. (2) The exemption described in subsection (1) of this section shall apply to homesteads of:
7. (a) A veteran who was discharged or otherwise separated with a characterization of honorable or general (under honorable conditions), who is drawing compensation from the United States Department of Veterans Affairs because of a one hundred percent service-connected permanent disability, and who is not eligible for total exemption under sections 77-3526 to 77-3528;
8. (b) An unmarried surviving spouse of such a veteran described in subdivision (2)(a) of this section, or a surviving spouse of such a veteran who remarries after attaining the age of fifty-seven years;
9. (c) A veteran who was discharged or otherwise separated with a characterization of honorable or general (under honorable conditions), who is drawing compensation from the United States Department of Veterans Affairs because of a one hundred percent service-connected temporary disability, and who is not eligible for total exemption under sections 77-3526 to 77-3528;
5 77-3526 to 77-3528, an unremarried surviving spouse of such a veteran, or
6 a surviving spouse of such a veteran who remarries after attaining the
7 age of fifty-seven years;
8 (d) An unremarried surviving spouse of any veteran, including a
9 veteran other than a veteran described in section 80-401.01, who was
10 discharged or otherwise separated with a characterization of honorable or
11 general (under honorable conditions) and who died because of a service-
12 connected disability or a surviving spouse of such a veteran who
13 remarries after attaining the age of fifty-seven years;
14 (g) An unremarried surviving spouse of a servicewoman or
15 servicewoman, including a veteran other than a veteran described in
16 section 80-401.01, whose death while on active duty was service-connected
17 or a surviving spouse of such a servicewoman or servicewoman who remarries
18 after attaining the age of fifty-seven years; and
19 (1) Beginning January 1, 2023, a veteran who was discharged or
20 otherwise separated with a characterization of honorable or general
21 (under honorable conditions), who is drawing compensation from the United
22 States Department of Veterans Affairs because the veteran is at least
23 fifty percent disabled but less than one hundred percent disabled due to
24 a service-connected disability, and who is not eligible for total
25 exemption under sections 77-3526 to 77-3528, an unremarried surviving
26 spouse of such a veteran, or a surviving spouse of such a veteran who
27 remarries after attaining the age of fifty-seven years.
28 (2) For a claimant described in subdivision (2)(a) of this section,
29 the exempt amount shall be multiplied by the percentage in Column B which
30 corresponds with the veteran's disability percentage in Column A in the
31 table found in this subsection.
32
33 | Column A | Column B |
34 | Disability Percentage | Percentage To Apply To | Exempt Amount |
35 | Of Veteran | | |
36 | At least 90% but less than 100% disabled | 90 |
37 | At least 80% but less than 90% disabled | 80 |
38 | At least 70% but less than 80% disabled | 70 |
39 | At least 60% but less than 70% disabled | 60 |
40 | At least 50% but less than 60% disabled | 50 |
41 (3) Application for exemption under subdivision (2)(a) of this
42 section shall be required once every five years and shall include
43 certification of the status described in subdivision (2)(a) set forth in
44 subsection (2) of this section from the United States Department of
45 Veterans Affairs. Application for exemption under subdivision (2)(b),
46 (c), (d), (e), (f), or (g) of this section shall be required annually and
47 shall include certification of the status described in subdivision (2)
48 (d), (e), (f), (g), (h), or (i) of this section from the United States
49 Department of Veterans Affairs, except that such certification of status
50 shall only be required once every five years. Such certification shall not
51 be required in succeeding years if no change in status has occurred,
52 except that the county assessor or the Tax Commissioner may request such
53 certification to verify that no change in status has occurred.
54 Sec. 2. Section 77-3512, Revised Statutes Supplement, 2021, is
55 amended to read:
56 29 77-3512 (1) It shall be the duty of each owner who wants a
57 homestead exemption under section 77-3506, 77-3507, or 77-3508 to file an
58 application therefor with the county assessor of the county in which the
59 homestead is located after February 1 and on or before June 30 of each
60 year. Failure to do so shall constitute a waiver of the exemption for
4 that year, except that:
5 (a) (1) The county board of the county in which the homestead is
6 located may, by majority vote, extend the deadline for an applicant to on
7 or before July 20. An extension shall not be granted to an applicant who
8 received an extension in the immediately preceding year;
9 (b) (1) An owner may file a late application pursuant to section
10 77-3514.01 if he or she includes documentation of a medical condition
11 which impaired the owner's ability to file the application in a timely
12 manner, and
13 (c) (1) An owner may file a late application pursuant to section
14 77-3514.01 if he or she includes a copy of the death certificate of a
15 spouse who died during the year for which the exemption is requested;
16 (d) A veteran qualifying for a homestead exemption under subdivision
17 (2)(a) of section 77-3506 shall only be required to file an application
18 once every five years; and
19 (e) If a veteran who has been granted a homestead exemption under
20 subdivision (2)(a) of section 77-3506 dies during the five-year exemption
21 period, the surviving spouse of such veteran shall continue to receive
22 such exemption for the remainder of the five-year exemption period. After
23 expiration of the five-year exemption period, the surviving spouse
24 shall be required to file for an exemption under subdivision (2)(b) of
25 section 77-3506 on an annual basis.
26 (2) Failure to file an application as required in subsection (1) of
27 this section shall constitute a waiver of the exemption for the year in
28 which the failure occurred.
29 Sec. 3. Section 77-3513, Reissue Revised Statutes of Nebraska, is
30 amended to read:
31 77-3513 The county assessor shall mail a notice on or before April 1
32 to claimants who are the owners of a homestead which was granted an
33 exemption under section 77-3506, 77-3507, or 77-3508 and who are required
34 to refile for such exemption in the current preceding year unless the
35 claimant has already filed the application for the current year or the
36 county assessor has reason to believe there has been a change of
37 circumstances so that the claimant no longer qualifies. The notice shall
38 include the claimant's name, the application deadlines for the current
39 year, a list of documents that must be filed with the application, and
40 the county assessor's office address and telephone number.
41 Sec. 4. Section 77-3522, Reissue Revised Statutes of Nebraska, is
42 amended to read:
43 77-3522 (1) Any person who makes any false or fraudulent claim for
44 exemption or any false statement or false representation of a material
45 fact in support of such claim or any person who knowingly assists another
46 in the preparation of any such false or fraudulent claim or enters into
47 any collusion with another by the execution of a fictitious deed or other
48 instrument for the purpose of obtaining unlawful exemption under sections
49 77-3501 to 77-3529 shall be guilty of a Class II misdemeanor and shall be
50 subject to a forfeiture of any such exemption for a period of two years
51 from the date of conviction. Any person who shall make an oath or
52 affirmation to any false or fraudulent application for homestead
53 exemption knowing the same to be false or fraudulent shall be guilty of a
54 Class I misdemeanor.
55 (2) In addition to the penalty provided in subsection (1) of this
56 section, if any person (a) files a claim for exemption as provided in
57 section 77-3506, 77-3507, or 77-3508 which is excessive due to
58 misstatements by the owner filing such claim or (b) fails to notify the
59 county assessor of a change in status of a veteran qualifying for a
60 homestead exemption under subdivision (2)(a) of section 77-3506 which
61 affected all or a portion of the exemption period, including a change in
62 rating, a transfer of the property, or the death of the veteran, the
63 claim may be disallowed in full and, if the claim has been allowed, an
2 amount equal to the amount of taxes lawfully due during the applicable
3 exemption period but not paid by reason of such unlawful and improper
4 allowance of homestead exemption shall be due and shall upon entry of the
5 amount thereof on the books of the county treasurer be a lien on such
6 property until paid and a penalty equal to the amount of taxes lawfully
7 due but claimed for exemption shall be assessed. Any amount paid to
8 satisfy a lien imposed pursuant to this subsection shall be paid to the
9 county treasurer in the same manner that other property taxes are paid,
10 and the county treasurer shall remit such amount to the State Treasurer
11 for credit to the General Fund. Any penalty collected pursuant to this
12 subsection shall be retained by the county in which such penalty is
13 assessed.
14 (2) For any veteran claiming a homestead exemption under subdivision
15 (2)(a) of section 77-3506, the county assessor may revoke such exemption
16 back to the date on which the county assessor has reason to believe that
17 the exemption was improper upon notice to the veteran of the revocation.
18 The veteran may then provide evidence in favor of receiving the exemption
19 to the county assessor, and the county assessor may revise any revocation
20 based on such evidence. Any decision of the county assessor to revoke a
21 homestead exemption under this subsection may be appealed to the county
22 board within thirty days after the decision. The county board may reverse
23 or modify the revocation if there is clear and convincing evidence that
24 the veteran qualified for the exemption for a particular period of time.
25 (4) Any additional taxes or penalties imposed pursuant to this
26 section may be appealed in the same manner as appeals are made under
27 section 77-3519.
28 Sec. 5. This act becomes operative on January 1, 2023.
29 Sec. 6. Original sections 77-3513 and 77-3522, Reissue Revised
30 Statutes of Nebraska, section 77-3506, Revised Statutes Cumulative
31 Supplement, 2020, and section 77-3512, Revised Statutes Supplement, 2021,
1 are repealed.

Senator Flood filed the following amendment to LB709:
AM2521
(Amendments to Standing Committee amendments, AM1936)
1 1. On page 7, after line 30 insert the following new subsection:
2 "(5) This section does not apply to any occupation regulated by the
3 Board of Engineers and Architects or the State Real Estate Commission."
4 2. On page 12, line 30, after the second comma insert "the Board of
5 Engineers and Architects, the State Real Estate Commission."
6 3. On page 18, after line 18 insert the following new subsection:
7 "(10) This section does not apply to any occupation regulated by the
8 Board of Engineers and Architects or the State Real Estate Commission.".

Senator M. Hansen filed the following amendment to LB919:
FA142
Amend AM2513: Strike Section 6 and renumber accordingly.

Senator M. Hansen filed the following amendment to LB919:
FA143
Amend AM2513: Strike Section 5 and renumber accordingly.

Senator M. Hansen filed the following amendment to LB919:
FA144
Strike Sections 1 and 2, and renumber accordingly.
Senator M. Hansen filed the following amendment to **LB919**:  
**PA145**
Strike Sections 3 and 4 and renumber accordingly.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 351.** Introduced by Clements, 2.

PURPOSE: The purpose of this resolution is to propose an interim study to evaluate the feasibility of the construction, operation, and maintenance of public river port facilities on Nebraska waterways. This study shall include, but not be limited to:

1. Examining the feasibility and logistics of the construction of public port facilities on Nebraska waterways, including the Missouri River;
2. Reviewing the public benefits of the operation of public port facilities on Nebraska waterways;
3. Determining whether commercial transport of goods along Nebraska waterways generates economic benefits to Nebraska citizens;
4. Studying environmental, public safety, and administrative issues associated with the operation of public port facilities;
5. Examining funding opportunities to construct and operate public port facilities; and
6. Reviewing related state statutes and local ordinances impacting the construction, operation, and maintenance of public port facilities on Nebraska waterways.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

**EXPLANATION(S) OF VOTE(S)**

Had I been present, I would have voted "nay" on final passage of LB1073.

(Signed) Michael Flood

**SENATOR HUGHES PRESIDING**

**GENERAL FILE**

**LEGISLATIVE BILL 1014.** Senator Albrecht offered her amendment, **AM2495**, found on page 915, to the committee amendment.
SENATOR ARCH PRESIDING

Pending.

PRESENTED TO THE GOVERNOR

Presented to the Governor on March 23, 2022, at 11:09 a.m. was the following: LB1073.

(Signed) Jamie Leishman
Clerk of the Legislature's Office

RESOLUTION(S)

LEGISLATIVE RESOLUTION 352. Introduced by Murman, 38.

WHEREAS, the 2022 Nebraska School Activities Association State Wrestling Tournament was held from February 17 through February 19 at the CHI Health Center Omaha; and
WHEREAS, senior Levi Kerner wrestled for the Arapahoe-Holbrook High School wrestling team coached by Brandon Mues; and
WHEREAS, Levi won the Class D 285-pound championship match; and
WHEREAS, Levi also medaled in his previous two visits to the state tournament. He placed third in his sophomore year and fourth in his junior year; and
WHEREAS, Levi currently holds his school record for career wins at 166; and
WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature congratulates Levi Kerner on winning the 2022 Class D 285-pound State Wrestling Championship.
2. That copies of this resolution be sent to Arapahoe-Holbrook High School, coach Brandon Mues, and Levi Kerner.

Laid over.

LEGISLATIVE RESOLUTION 353. Introduced by Friesen, 34.

WHEREAS, Nebraskans for the Arts annually presents the NebraskARTS Award which recognizes select schools or school districts that make notable and worthwhile contributions to the arts and arts education in the State of Nebraska; and
WHEREAS, Central City Public Schools demonstrates a high education standard and provides all its students the opportunity to enjoy, excel, and learn through the arts; and
WHEREAS, Central City Public Schools provides numerous opportunities for students to improve their craft and share their talent and hard work with their community and surrounding areas; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Central City Public Schools for receiving the 2021-22 NebraskARTS Award.

2. That a copy of this resolution be sent to the Central City Public Schools superintendent on behalf of the students, teachers, staff, and parents of Central City Public Schools.

Laid over.

RECESS

At 12:02 p.m., on a motion by Senator Brandt, the Legislature recessed until 1:00 p.m.

AFTER RECESS

The Legislature reconvened at 1:00 p.m., Senator Arch presiding.

ROLL CALL

The roll was called and all members were present except Senator Pahls who was excused; and Senators Bostar, Bostelman, Briese, J. Cavanaugh, M. Cavanaugh, Day, B. Hansen, Hilkemann, Hunt, McCollister, Morfeld, Pansing Brooks, Slama, Stinner, Vargas, Wayne, and Wishart who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 1014. Senator Albrecht renewed her amendment, AM2495, found on page 915 and considered in this day's Journal, to the committee amendment.

Senator Albrecht withdrew her amendment.

Senator DeBoer offered her amendment, AM2472, found on page 905, to the committee amendment.

The DeBoer amendment was adopted with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

Senator Hunt offered her amendment, AM2446, found on page 906, to the committee amendment.
SENATOR HUGHES PRESIDING

Senator Hunt withdrew her amendment.

Pending.

AMENDMENT(S) - Print in Journal

Senator Morfeld filed the following amendment to LB1012:
AM2541
(Amendments to Standing Committee amendments, AM2000)
1 1. On page 1, line 15, strike "state's".

Senator M. Cavanaugh filed the following amendment to LB1023:
AM2546
(Amendments to AM2300)
1 1. On page 2, strike lines 19 through 31.
2 2. On page 3, strike lines 1 through 7; in line 8 strike "(12)" and
3 insert "(9)"; in line 13 strike "(13)" and insert "(10)"; and in line 19
4 strike "(14)" and insert "(11)".

RESOLUTION(S)

LEGISLATIVE RESOLUTION 354. Introduced by McDonnell, 5.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the educational experiences and outcomes of youth in foster care. The study shall include, but not be limited to, a consideration of the following:
1 (1) National and best practices related to educational opportunities for youth in foster care;
2 (2) The known challenges of youth in foster care in regards to educational attainment;
3 (3) The status of the state's current system of support for youth in foster care in regards to their educational goals;
4 (4) Racial, economic, and geographic disparities that exist in educational attainment for youth in foster care;
5 (5) Potential programs to address challenges in educational success for youth in foster care, particularly the foster care full ride program;
6 (6) The landscape of educational opportunities for youth in foster care including community colleges, universities, state colleges, and career and technical training programs;
7 (7) Other state efforts to support youth in foster care and their educational goals; and
8 (8) Potential statutory or administrative changes that would support improved outcomes in education for youth in foster care.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 355. Introduced by Bostelman, 23; Brewer, 43; Wayne, 13.

PURPOSE: The purpose of this resolution is to propose an interim study to examine and review Chapter 70 of the Nebraska Revised Statutes in order to update and modernize language and determine if any updates or revisions are necessary. The study shall include, but not to be limited to, an examination of:

(1) Statutes relating to electric generation and transmission;
(2) Statutes governing the approval of and decommissioning of electric generation facilities;
(3) Statutes governing the Nebraska Power Review Board; and
(4) Adherence by public power suppliers to the laws and policies of the state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purpose of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.


WHEREAS, on April 29, 2022, the city of Seward will be hosting their fiftieth annual Arbor Day celebration; and

WHEREAS, the city of Seward has planted approximately one hundred ceremonial trees over the past five decades celebrating the holiday; and

WHEREAS, the city of Seward has been named an official "Tree City USA" by the Arbor Day Foundation for the last four decades; and

WHEREAS, the Seward General Federation of Women's Club sponsors an annual Arbor Day planting program.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature recognizes the work of the Seward General Federation of Women's Clubs and the city of Seward for the continued support of Arbor Day and tree planting.
2. That copies of this resolution be sent to the Seward General Federation of Women's Clubs and the city of Seward.

Laid over.

LEGISLATIVE RESOLUTION 357. Introduced by Kolterman, 24.

WHEREAS, in April 2022, Phil Burke, General Manager for the Polk County Rural Public Power District, will retire after serving the public and the community for 42 years; and
WHEREAS, Phil began his career in 1980 and, after serving as a groundman, a lineman, and Customer Service Director and Operations Manager, served as the Chief Executive Officer and General Manager of Polk County Rural Public Power District; and
WHEREAS, Phil has shown dedication to the Polk County Rural Public Power District, its customers, the community, and the state during his tenure.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature thanks Phil Burke for his service over the last 42 years and congratulates him on his retirement.
2. That a copy of this resolution be sent to Phil Burke.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 1014. Senator Gragert withdrew his amendment, AM2486, found on page 905.

Senator Gragert offered the following amendment to the committee amendment:

AM2542  (Amendments to Standing Committee amendments, AM2330)
1 1. Insert the following new section:
2 Sec. 49. AGENCY NO. 84 — DEPARTMENT OF ENVIRONMENT AND ENERGY
3 Program No. 528 - Drinking Water Facilities Loan Fund
4 5 FEDERAL FUND FY2021-22 FY2022-23
5 PROGRAM TOTAL 1,000,000 6,000,000
6 Federal Funds for state aid, which shall only be used for such purpose. There is included in the amount shown as aid for this program for
7 $1,000,000 Federal Funds for state aid, which shall only be used for such purpose.
8 Funds to provide grant assistance for a rural drinking water project that
The Gragert amendment was adopted with 33 ayes, 0 nays, 14 present and not voting, and 2 excused and not voting.

Senator Brandt offered his amendment, AM2444, found on page 900, to the committee amendment.

SENIOR WILLIAMS PRESIDING

The Brandt amendment was adopted with 40 ayes, 0 nays, 8 present and not voting, and 1 excused and not voting.

Senator Murman withdrew his amendment, AM2476, found on page 907.

Senator Murman offered the following amendment to the committee amendment:

AM2544

(Amendments to Standing Committee amendments, AM2330)

1. Insert the following new sections:

2. Sec. 15. AGENCY NO. 25 — DEPARTMENT OF HEALTH AND HUMAN SERVICES

3. Program No. 175 - Rural Health Provider Incentive Program

4. FY2021-22 FY2022-23

5. FEDERAL FUND 5,000,000 0

6. PROGRAM TOTAL 5,000,000 0

7. There is included in the appropriation to this program for FY2021-22

8. $5,000,000 Federal Funds for state aid, which shall only be used for such

9. purpose.

10. There is included in the amount shown as aid for this program for

11. FY2021-22 $5,000,000 Federal Funds for repayment of qualified educational

12. debts owed by eligible health professionals as provided in section

13. 71-5662.

14. Sec. 16. AGENCY NO. 25 — DEPARTMENT OF HEALTH AND HUMAN SERVICES

15. Program No. 176 - Nursing Incentives

16. FY2021-22 FY2022-23

17. FEDERAL FUND 5,000,000 0

18. PROGRAM TOTAL 5,000,000 0

19. (1) There is included in the appropriation to this program for

20. FY2021-22 $5,000,000 Federal Funds for state aid, which shall only be

21. used for such purpose.

22. (2) There is included in the amount shown as aid for this program

23. for FY2021-22 $5,000,000 Federal Funds for scholarships to students (a)

24. residing in Nebraska, (b) intending to enroll or enrolled in a nursing

25. program that (i) is approved pursuant to sections 38-2232 to 38-2236,

26. (ii) is offered by a public or private postsecondary institution in
Nebraska, and (iii) consists of courses of instruction in regularly scheduled classes leading only to an associate degree, diploma, or certificate in nursing or an accelerated bachelor of science in nursing degree. (c) intending to practice as a licensed practical nurse, licensed registered nurse, or nurse aide upon completion of the approved nursing program, and (d) agreeing in writing to work for two years in this state as a licensed practical nurse, licensed registered nurse, or nurse aide upon completion of the approved nursing program. Each qualifying student shall receive a scholarship of up to $2,500 per semester.

1. On page 19, lines 15 and 16, strike "$20,000,000" and insert "$10,000,000"; and in line 18 strike "$20,000,000" and insert "$10,000,000".

3. Senator Blood offered the following amendment to the committee amendment: AM2543 (Amendments to Standing Committee amendments, AM2330)

1. Strike section 48 and insert the following new section:

2. Sec. 11. AGENCY NO. 13 — STATE DEPARTMENT OF EDUCATION

3. Program No. 25 - Education, Administration, and Support

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There is included in the appropriation to this program for FY2022-23 $20,000,000 Federal Funds for state aid, which shall only be used for such purpose. The State Department of Education shall administer a program to provide grants to all public school districts for purposes of school employee retention. The amount of the grant provided to each public school district shall be a proportionate share of the total amount appropriated under this section. Each public school district's share shall be based on the percentage of the Nebraska population residing in such public school district according to the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census.

20. (c) A public school district receiving such grant shall divide the grant evenly among all eligible school employees at the time of receiving the grant.

23. (d) For purposes of this section, eligible school employee means a certificated employee employed by a school. Eligible school employee does not include any school administrator.

26. 3. Senator Blood moved for a call of the house. The motion prevailed with 22 ayes, 5 nays, and 22 not voting.

26. Senator Blood requested a roll call vote, in reverse order, on her amendment.
Voting in the affirmative, 11:

Blood  Cavanaugh, M.  Hansen, M.  Pansing Brooks
Brewer  Day  Hunt  Walz
Cavanaugh, J.  DeBoer  Morfeld

Voting in the negative, 18:

Aguilar  Clements  Friesen  Linehan  Stinner
Albrecht  Dorn  Geist  Lowe  Williams
Bostelman  Erdman  Halloran  Moser
Briese  Flood  Jacobson  Sanders

Present and not voting, 17:

Arch  Hansen, B.  Lathrop  McKinney  Wishart
Bostar  Hilgers  Lindstrom  Murman
Brandt  Hilkemann  McCollister  Vargas
Gragert  Hughes  McDonnell  Wayne

Excused and not voting, 3:

Koltermann  Pahls  Slama

The Blood amendment lost with 11 ayes, 18 nays, 17 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

**AMENDMENT(S) - Print in Journal**

Senator J. Cavanaugh filed the following amendment to LB919:
AM2527 is available in the Bill Room.

Senator J. Cavanaugh filed the following amendment to LB919:
AM2526 is available in the Bill Room.

Senator J. Cavanaugh filed the following amendment to LB919:
AM2524 is available in the Bill Room.

Senator J. Cavanaugh filed the following amendment to LB919:
AM2523 is available in the Bill Room.

Senator J. Cavanaugh filed the following amendment to LB919:
AM2525 is available in the Bill Room.

Senator J. Cavanaugh filed the following amendment to LB919:
AM2528 is available in the Bill Room.
Senator J. Cavanaugh filed the following amendment to LB919:

AM2531  (Amendments to Standing Committee amendments, AM2513)
1 1. On page 2, line 11, after the semicolon insert "and".; in line 13
2 strike beginning with the second comma through the semicolon and insert
3 an underscored period; and strike lines 14 through 21.
4 2. On page 5, line 6, after the semicolon insert "and".; in line 8
5 strike "and before January 1, 2025."; in line 11 strike the semicolon and
6 insert an underscored period; and strike lines 12 through 25.
7 3. On page 10, strike lines 11 through 31 and insert the following
8 new subsection:
9 "(2) For taxable years beginning or deemed to begin during calendar
10 year 2022 and each calendar year thereafter, the department shall set the
11 credit percentage so that the total amount of credits for such taxable
12 years shall be fifty million dollars.";
13 4. On page 11, strike lines 1 through 4.

Senator B. Hansen filed the following amendment to LB927:

AM2505  (Amendments to Standing Committee amendments, AM2023)
1 1. Insert the following new sections:
2 Sec. 10. Section 77-1633, Revised Statutes Supplement, 2021, is
3 amended to read:
4 77-1633 (1) For purposes of this section, political subdivision
5 means any county, city, school district, or community college.
6 (2) If any political subdivision seeks to increase its property tax
7 request by more than the allowable growth percentage, such political
8 subdivision may do so if:
9 (a) A public hearing is held and notice of such hearing is provided
10 in compliance with subsection (3) of this section; and
11 (b) The governing body of such political subdivision passes a
12 resolution or an ordinance that complies with subsection (4) of this
13 section.
14 (3)(a) Each political subdivision within a county that seeks to
15 increase its property tax request by more than the allowable growth
16 percentage shall participate in a joint public hearing. Each such
17 political subdivision shall designate one representative to attend the
18 joint public hearing on behalf of the political subdivision. If a
19 political subdivision includes area in more than one county, the
20 political subdivision shall be deemed to be within the county in which
21 the political subdivision's principal headquarters are located. At such
22 hearing, there shall be no items on the agenda other than discussion on
23 each political subdivision's intent to increase its property tax request
24 by more than the allowable growth percentage.
25 (b) The joint public hearing shall be held on or after September 17
26 and prior to September 29 and before any of the participating political
1 subdivisions file their adopted budget statement pursuant to section
2 13-508.
3 (c) The joint public hearing shall be held after 6 p.m. local time
4 on the relevant date.
5 (d) The joint public hearing shall be organized by the county clerk
6 or his or her designee. At the joint public hearing, the representative
7 of each political subdivision shall give a brief presentation on the
8 political subdivision's intent to increase its property tax request by
9 more than the allowable growth percentage and the effect of such request
10 on the political subdivision's budget. The presentation shall include:
11 (i) The name of the political subdivision;
12 (ii) The amount of the property tax request; and
13 (iii) The following statements:
14 (A) The total assessed value of property differs from last year's
15 total assessed value by .... percent;
16 (B) The tax rate which would levy the same amount of property taxes
17 as last year, when multiplied by the new total assessed value of
18 property, would be $..... per $100 of assessed value;
19 (C) The (name of political subdivision) proposes to adopt a property
20 tax request that will cause its tax rate to be $..... per $100 of
21 assessed value;
22 (D) Based on the proposed property tax request and changes in other
23 revenue, the total operating budget of (name of political subdivision)
24 will exceed last year's by .... percent; and
25 (E) To obtain more information regarding the increase in the
26 property tax request, citizens may contact the (name of political
27 subdivision) at (telephone number and email address of political
28 subdivision).
29 (c) Any member of the public shall be allowed to speak at the joint
30 public hearing and shall be given a reasonable amount of time to do so.
31 (1) Notice of the joint public hearing shall be provided:
32 (i) By mailing a postcard to all affected property taxpayers. The
33 postcard shall be sent to the name and address to which the property tax
34 statement is mailed;
35 (ii) By posting notice of the hearing on the home page of the
36 relevant county's website, except that this requirement shall only apply
37 if the county has a population of more than twenty-five thousand
38 inhabitants; and
39 (iii) By publishing notice of the hearing in a legal newspaper in or
40 of general circulation in the relevant county.
41 (g) Each political subdivision that participates in the joint public
42 hearing shall send the information prescribed in subdivision (3)(h) of
43 this section to the county clerk by September 5. The county clerk shall
44 transmit the information to the county assessor no later than September
45 10. The county clerk shall notify each participating political
46 subdivision of the date, time, and location of the joint public hearing.
47 The county assessor shall send the information required to be included on
48 the postcards pursuant to subdivision (3)(h) of this section to a
49 printing service designated by the county board. The initial cost for
50 printing the postcards shall be paid from the county general fund mail
51 the postcards required in this subsection. Such postcards shall be mailed
52 at least seven calendar days before the joint public hearing. The cost of
53 creating and mailing the postcards, including staff time, materials, and
54 postage, shall be charged proportionately to divided among the political
55 subdivisions participating in the joint public hearing based on the total
56 number of parcels in each participating political subdivision.
57 (h) The postcard sent under this subsection and the notice posted on
58 the county's website, if required under subdivision (3)(f)(ii) of this
59 section, and published in the newspaper shall include the date, time, and
60 location for the joint public hearing, a listing of and telephone number
61 for each political subdivision that will be participating in the joint
62 public hearing, and the amount of each participating political
63 subdivision's property tax request. The postcard shall also contain the
64 following information:
65 (i) The following words in capitalized type at the top of the
66 postcard: NOTICE OF PROPOSED TAX INCREASE;
67 (ii) The name of the county that will hold the joint public hearing,
68 which shall appear directly underneath the capitalized words described in
69 subdivision (3)(h)(i) of this section;
70 (iii) The following statement: The following political subdivisions
71 are proposing a revenue increase which would result in an overall
72 increase in as a result of property taxes in (insert current tax year).
11 THE ACTUAL TAX ON YOUR PROPERTY MAY INCREASE OR DECREASE. This notice
contains estimates of the tax on your property and the proposed tax increase on your property as a result of this revenue increase. These estimates are calculated on the basis of the proposed (insert current tax year) data. The actual tax on your property and tax increase on your property may vary from these estimates.
17 (iv) The parcel number for the property;
18 (vi) The name of the property owner and the address of the property;
20 (vii) The amount of property taxes due in the previous tax year for each participating political subdivision;
23 (ix) The amount of property taxes due for the current tax year for each participating political subdivision;
25 (x) The change in the amount of property taxes due for each participating political subdivision from the previous tax year to the current tax year; and
28 (xi) The following statement: To obtain more information regarding the tax increase, citizens may contact the political subdivision at the telephone number provided in this notice.
31 (4) After the joint public hearing required in subsection (3) of this section, the governing body of each participating political subdivision shall pass an ordinance or resolution to set such political subdivision's property tax request. If the political subdivision is increasing its property tax request over the amount from the prior year, including any increase in excess of the allowable growth percentage, then such ordinance or resolution shall include, but not be limited to, the following information:
8 (a) The name of the political subdivision;
9 (b) The amount of the property tax request;
10 (c) The following statements:
11 (i) The total assessed value of property differs from last year's total assessed value by ...... percent;
13 (ii) The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be $.... per $100 of assessed value;
16 (iii) The (name of political subdivision) proposes to adopt a property tax request that will cause its tax rate to be $.... per $100 of assessed value; and
19 (iv) Based on the proposed property tax request and changes in other revenue, the total operating budget of (name of political subdivision) will exceed last year's by ...... percent; and
22 (d) The record vote of the governing body in passing such resolution or ordinance.
24 (5) Any resolution or ordinance setting a property tax request under this section shall be certified and forwarded to the county clerk on or before October 15 of the year for which the tax request is to apply.
27 (6) The county clerk, or his or her designee, shall prepare a report which shall include (a) the names of the representatives of the political subdivisions participating in the joint public hearing and (b) the name and address of each individual who spoke at the joint public hearing, unless the address requirement is waived to protect the security of the individual, and the name of any organization represented by each such individual. Such report shall be delivered to the political subdivisions participating in the joint public hearing within ten days after such hearing.
5 Sec. 11. Section 77-1634, Revised Statutes Supplement, 2021, is amended to read:
7 77-1634 (1) Except as provided in subsection (2) of this section,
8 any levy which is not in compliance with the Property Tax Request Act and
9 section 77-1601 shall be construed as an unauthorized levy under section
10 77-1606.
11 (2) An inadvertent failure to comply with the Property Tax Request
12 Act shall not invalidate a political subdivision's property tax request
13 or constitute an unauthorized levy under section 77-1606. A political
14 subdivision that has complied with the Property Tax Request Act shall not
15 have its property tax request invalidated due to any other political
16 subdivision's failure to comply with the Property Tax Request Act. The
17 failure of a taxpayer to receive a postcard as required under the act
18 shall not invalidate a political subdivision's property tax request or
19 constitute an unauthorized levy under section 77-1606.
20 2. Renumber the remaining section and correct the repealer
21 accordingly.

COMMITTEE REPORT(S)
Appropriations

LEGISLATIVE BILL 792. Placed on General File with amendment.

AM2430
1 1. Strike the original section and insert the following new section:
2 Section 1. There is hereby appropriated (1) $3,000,000 from the
3 General Fund for FY2022-23, (2) $9,000,000 from the General Fund for
4 FY2023-24, and (3) $15,000,000 from the General Fund for FY2024-25 to the
5 University of Nebraska, Program 781, for the academic programs and
6 operating budget of the University of Nebraska Medical Center Rural
7 Health Complex on the campus of the University of Nebraska at Kearney.

(Signed) John Stinner, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 358. Introduced by Day, 49; Arch, 14;
Cavanaugh, M., 6; Hansen, B., 16; Murman, 38; Walz, 15; Williams, 36.

WHEREAS, Eric Evans first joined Disability Rights Nebraska in 1987 as
Deputy Director and will be resigning on July 1, 2022; and
WHEREAS, for the last seven of his thirty-five years at Disability Rights
Nebraska, Eric served as Chief Executive Officer; and
WHEREAS, prior to joining Disability Rights Nebraska, Eric worked as
the Executive Director of the Nebraska Governor's Planning Council on
Developmental Disabilities; and
WHEREAS, Eric's life-long and unwavering dedication to advocacy, justice,
and civil rights for persons with disabilities stems from his personal
connection to many people with disabilities and a clear vision of the valued
humanity of people with disabilities; and
WHEREAS, Eric's advocacy for disability rights resulted in several
significant improvements for the lives of persons with disabilities in
Nebraska; and
WHEREAS, Eric has helped raise the visibility of people with disabilities
with policymakers and others; and
WHEREAS, Eric helped the Legislature craft policy on disability issues
including the Developmental Disabilities Services Act and revisions of the
Public Guardianship Act, played a key part in transforming the public behavioral healthcare system in the Nebraska Behavioral Health Services Act, and helped spur the creation of multiple offices, including the office of consumer affairs within the Division of Behavioral Health, the Office of the Public Guardian, the State of Nebraska Americans with Disabilities Act Coordinator, and the State of Nebraska Americans with Disabilities Act Taskforce; and

WHEREAS, Eric has worked tirelessly with policymakers, advocates, and people with disabilities to strengthen citizen advocacy programs and expand values-based training in Nebraska; and

WHEREAS, Eric is a recognized leader within the disability community at the local, state, and national levels; and

WHEREAS, through his consistent commitment to educate, empower, and support people with disabilities, he has helped develop many strong advocates within Nebraska's disability community and beyond; and

WHEREAS, Eric's leadership has had a substantial and lasting impact on the status and treatment of Nebraskans with disabilities.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature thanks Eric Evans for his decades of service to the disability community and to Nebraska.
2. That a copy of this resolution be sent to Eric Evans.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 1014. Senator Wayne offered his amendment to the committee amendment:
AM2552 is available in the Bill Room.

SENATOR ARCH PRESIDING

The Wayne amendment lost with 12 ayes, 14 nays, 20 present and not voting, and 3 excused and not voting.

Senator Wayne offered his amendment, AM2478, found on page 901, to the committee amendment.

SENATOR WILLIAMS PRESIDING

Senator Stinner offered the following motion:
MO177
Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Stinner moved for a call of the house. The motion prevailed with 26 ayes, 3 nays, and 20 not voting.
Senator Stinner requested a roll call vote, in reverse order, on the motion to invoke cloture.

Voting in the affirmative, 46:

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<td>Aguilar</td>
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Voting in the negative, 1:

Friesen

Excused and not voting, 2:

Pahls            Pansing Brooks

The Stinner motion to invoke cloture prevailed with 46 ayes, 1 nay, and 2 excused and not voting.

The Wayne amendment was adopted with 29 ayes, 1 nay, 17 present and not voting, and 2 excused and not voting.

Committee AM2330, as amended, found on page 898, and considered in this day's Journal, was adopted with 44 ayes, 1 nay, 2 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 41 ayes, 1 nay, 5 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

UNANIMOUS CONSENT - Expedite LB1014

Speaker Hilgers asked unanimous consent to expedite LB1014. No objections. So ordered.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 1013. Placed on Select File.
LEGISLATIVE BILL 1024. Placed on Select File with amendment. ER154 is available in the Bill Room.

LEGISLATIVE BILL 121. Placed on Select File with amendment. ER153

1. Strike the original sections and insert the following new sections:

3 68-1017.02, Revised Statutes Supplement, 2021, is amended to read:
5 (1) The Department of Health and Human Services shall
6 apply for and utilize to the maximum extent possible, within limits
7 established by the Legislature, any and all appropriate options available
8 to the state under the federal Supplemental Nutrition Assistance Program
9 and regulations adopted under such program to maximize the number of
10 Nebraska residents being served under such program within such limits.
11 The department shall seek to maximize federal funding for such program
12 and minimize the utilization of General Funds for such program and shall
13 employ the personnel necessary to determine the options available to the
14 state and issue the report to the Legislature required by subdivision (b)
15 of this subsection.

16 (b) The department shall submit electronically an annual report to
17 the Health and Human Services Committee of the Legislature by December 1
18 on efforts by the department to carry out the provisions of this
19 subsection. Such report shall provide the committee with all necessary
20 and appropriate information to enable the committee to conduct a
21 meaningful evaluation of such efforts. Such information shall include,
22 but not be limited to, a clear description of various options available
23 to the state under the federal Supplemental Nutrition Assistance Program,
24 the department's evaluation of and any action taken by the department
25 with respect to such options, the number of persons being served under
26 such program, and any and all costs and expenditures associated with such
27 program.

1 (c) The Health and Human Services Committee of the Legislature,
2 after receipt and evaluation of the report required in subdivision (b) of
3 this subsection, shall issue recommendations to the department on any
4 further action necessary by the department to meet the requirements of
5 this section.

6 (2)(a) The department shall develop a state outreach plan to promote
7 access by eligible persons to benefits of the Supplemental Nutrition
8 Assistance Program. The plan shall meet the criteria established by the
9 Food and Nutrition Service of the United States Department of Agriculture
10 for approval of state outreach plans. The Department of Health and Human
11 Services may apply for and accept gifts, grants, and donations to develop
12 and implement the state outreach plan.
13 (b) For purposes of developing and implementing the state outreach
14 plan, the department shall partner with one or more counties or nonprofit
15 organizations. If the department enters into a contract with a nonprofit
16 organization relating to the state outreach plan, the contract may
17 specify that the nonprofit organization is responsible for seeking
18 sufficient gifts, grants, or donations necessary for the development and
19 implementation of the state outreach plan and may additionally specify
20 that any costs to the department associated with the award and management
21 of the contract or the implementation or administration of the state
22 outreach plan shall be paid out of private or federal funds received for
23 development and implementation of the state outreach plan.
24 (c) The department shall submit the state outreach plan to the Food
25 and Nutrition Service of the United States Department of Agriculture for
26 approval on or before August 1, 2011, and shall request any federal
27 matching funds that may be available upon approval of the state outreach
28 plan. It is the intent of the Legislature that the State of Nebraska and
29 the Department of Health and Human Services use any additional public or
30 private funds to offset costs associated with increased caseload
31 resulting from the implementation of the state outreach plan.
1 (d) The department shall be exempt from implementing or
2 administering a state outreach plan under this subsection, but not from
3 developing such a plan, if it does not receive private or federal funds
4 sufficient to cover the department's costs associated with the
5 implementation and administration of the plan, including any costs
6 associated with increased caseload resulting from the implementation of
7 the plan.
8 (3)(a) It is the intent of the Legislature that:
9 (i) Hard work be rewarded and no disincentives to work exist for
10 Supplemental Nutrition Assistance Program participants;
11 (ii) Supplemental Nutrition Assistance Program participants be
12 enabled to advance in employment, through greater earnings or new,
13 better-paying employment;
14 (iii) Participants in employment and training pilot programs be able
15 to maintain Supplemental Nutrition Assistance Program benefits while
16 seeking employment with higher wages that allow them to reduce or
17 terminate such program benefits; and
18 (iv) Nebraska better utilize options under the Supplemental
19 Nutrition Assistance Program that other states have implemented to
20 encourage work and employment.
21 (b)(i) The department shall create a TANF-funded program or policy
22 that, in compliance with federal law, establishes categorical eligibility
23 for federal food assistance benefits pursuant to the Supplemental
24 Nutrition Assistance Program to maximize the number of Nebraska residents
25 being served under such program in a manner that does not increase the
26 current gross income eligibility limit except as otherwise provided in
27 subdivision (3)(b)(ii) of this section.
28 (ii) Except as otherwise provided in this subdivision, such TANF-
29 funded program or policy shall increase the gross income eligibility
30 limit to one hundred sixty-five percent of the federal Office of
31 Management and Budget income poverty guidelines as allowed under federal
1 law and under 7 C.F.R. 273.2(j)(2), as such law and regulation existed on
2 April 1, 2021, but shall not increase the net income eligibility limit.
3 It is the intent of the Legislature to fund the administrative costs
4 associated with the benefits under this subdivision beginning on May 27,
5 2021, with federal funds as allowed under the federal American Rescue
6 Plan Act of 2021, Public Law 117-2, as such act existed on April 1, 2021,
7 and continue to fund such administrative costs with such federal funds
8 through September 30, 2023. Such administrative costs shall not be paid
9 from General Funds. Beginning October 1, 2023, the gross income
10 eligibility limit shall return to the amount used prior to the increase
11 required by this subdivision. The department shall evaluate the TANF-
12 funded program or policy created pursuant to this subsection and provide
13 a report electronically to the Health and Human Services Committee of the
14 Legislature and the Legislative Fiscal Analyst on or before December 31,
15 2022, regarding the gross income eligibility limit and whether it
16 maximizes the number of Nebraska residents being served under the program
17 or policy. The evaluation shall include an identification and
18 determination of additional administrative costs resulting from the
19 increase to the gross income eligibility limit, a recommendation
20 regarding the gross income eligibility limit, and a determination of the
21 availability of federal funds for the program or policy.
22 (iii) To the extent federal funds are available to the Department of
23 Labor for the SNAP Next Step Program, until September 30, 2023, any
24 recipient of Supplemental Nutrition Assistance Program benefits whose
25 household income is between one hundred thirty-one and one hundred sixty-
26 five percent of the federal Office of Management and Budget income
27 poverty guidelines and who is not exempt from work participation
28 requirements shall be encouraged to participate in the SNAP Next Step
29 Program administered by the Department of Labor if the recipient is
30 eligible to participate in the program and the program's services are
31 available in the county in which such household is located. It is the
32 intent of the Legislature that no General Funds be utilized by the
33 Department of Labor for the processes outlined in this subdivision (iii).
34 For purposes of this section, SNAP Next Step Program means a partnership
35 program between the Department of Health and Human Services and the
36 Department of Labor to assist under-employed and unemployed recipients of
37 Supplemental Nutrition Assistance Program benefits in finding self-
38 sufficient employment.
39 (iv) Such TANF-funded program or policy shall eliminate all asset
40 limits for eligibility for federal food assistance benefits, except that
41 the total of liquid assets which includes cash on hand and funds in
42 personal checking and savings accounts, money market accounts, and share
43 accounts shall not exceed twenty-five thousand dollars pursuant to the
44 Supplemental Nutrition Assistance Program, as allowed under federal law
45 and under 7 C.F.R. 273.2(i)(2).
46 (v) This subsection becomes effective only if the department
47 receives funds pursuant to federal participation that may be used to
48 implement this subsection.
49 (c) For purposes of this subsection:
50 (i) Federal law means the federal Food and Nutrition Act of 2008, 7
51 U.S.C. 2011 et seq., and regulations adopted under the act; and
52 (ii) TANF means the federal Temporary Assistance for Needy Families
53 program established in 42 U.S.C. 601 et seq.
54 (d)(a) As authorized in 21 U.S.C. 862ad, as such section existed
55 on January 1, 2021. Within the limits specified in this subsection, the
56 State of Nebraska opts out of the provision of the federal Personal
57 Responsibility and Work Opportunity Reconciliation Act of 1996, as such
58 act existed on January 1, 2009, that eliminates eligibility for the
59 Supplemental Nutrition Assistance Program for any person convicted of a
60 felony involving the possession, use, or distribution of a controlled
61 substance.
62 (b) A person convicted of a felony involving the possession, use, or
63 distribution of a controlled substance shall only be eligible for
64 Supplemental Nutrition Assistance Program benefits under this subsection
65 if such person (i) has completed such person's sentence for such felony
66 or (ii) is serving a term of parole, probation, or post-release
67 supervision for such felony shall be ineligible for Supplemental
68 Nutrition Assistance Program benefits under this subsection if he or she
69 (i) has had three or more felony convictions for the possession or use of
70 a controlled substance or (ii) has been convicted of a felony involving
71 the sale or distribution of a controlled substance or the intent to sell
72 or distribute a controlled substance. A person with one or two felony
73 convictions for the possession or use of a controlled substance shall
74 only be eligible to receive Supplemental Nutrition Assistance Program
75 benefits under this subsection if he or she is participating in or has
76 completed a state-licensed or nationally accredited substance abuse
77 treatment program since the date of conviction. The determination of such
78 participation or completion shall be made by the treatment provider
79 administering the program.
80 Sec. 2. Original section 68-1017.02, Revised Statutes Supplement,
81 2021, is repealed.
82 2. On page 1, line 2, strike "Reissue Revised Statutes of Nebraska"
83 and insert "Revised Statutes Supplement, 2021".
LEGISLATIVE BILL 697A. Placed on Select File with amendment.

ER152
1. On page 2, lines 2 and 3, strike "Department of".

LEGISLATIVE BILL 805A. Placed on Select File with amendment.

ER151
1. Strike the original section and all amendments thereto and insert
2 the following new section:
3 Section 1. There is hereby appropriated (1) $2,000,000 from the
4 General Fund for FY2022-23 and (2) $2,000,000 from Federal Funds for
5 FY2023-24 to the Department of Agriculture, for Program 7k, to aid in
6 carrying out the provisions of Legislative Bill 805, One Hundred Seventh
7 Legislature, Second Session, 2022. The Federal Funds appropriated in this
8 section are from the funds allocated to the State of Nebraska from the
9 Federal Coronavirus State Fiscal Recovery Fund pursuant to the federal
11 There is included in the appropriation to this program for FY2022-23
12 $2,000,000 General Funds for state aid, which shall only be used for such
13 purpose. There is included in the appropriation to this program for
14 FY2023-24 $2,000,000 Federal Funds for state aid, which shall only be
15 used for such purpose.
16 No expenditures for permanent and temporary salaries and per diems
17 for state employees shall be made from funds appropriated in this
18 section.

LEGISLATIVE BILL 848A. Placed on Select File.

LEGISLATIVE BILL 896A. Placed on Select File.

LEGISLATIVE BILL 1112A. Placed on Select File.

LEGISLATIVE BILL 1241A. Placed on Select File.

LEGISLATIVE BILL 1084. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

AMENDMENT(S) - Print in Journal

Senator Stinner filed the following amendment to LB1015:

AM2245
1. Strike the original sections and insert the following new
2 section:
3 Section 1. (1) The Legislature finds that it is essential to the
4 economic prosperity, health, and welfare of the people of the State of
5 Nebraska and to the environmental health of the entire Platte River Basin
6 to protect Nebraska’s full entitlement to the flows of the South Platte
7 River as provided for in the South Platte River Compact. The South Platte
8 River Compact is the law of Nebraska and of the United States that
9 specifically authorizes Nebraska to develop a canal and associated
10 storage facilities for the diversion of water from the South Platte River
11 for beneficial use in Nebraska.
12 (2) The Legislature finds that it is in the best interests of the
13 State of Nebraska to authorize the Department of Natural Resources to
14 begin designing, engineering, acquiring permits, and entering into an
15 option to purchase land related to building a canal under the authority
16 of the State of Nebraska consistent with the South Platte River Compact
17 and to contract with an independent firm for the purposes of completing a
18 study of such canal.
19 (3) The Department of Natural Resources may develop, construct,
20. manage, and operate the Perkins County Canal Project consistent with the
21. terms of the South Platte River Compact. The department may:
22. (a) Contract for services;
23. (b) Acquire permits;
24. (c) Acquire and own real property;
25. (d) Acquire, hold, and exercise water rights;
26. (e) Employ personnel;
27. (f) Accept grants, loans, donations, gifts, bequests, or other
28. contributions for such purpose from any person or entity, public or
29. private, including any funds made available by any department or agency
30. of the United States;
31. (g) Manage and expend such funds as are made available to the
32. department from the Perkins County Canal Project Fund; and
33. (h) Engage in any other necessary activities consistent with the
34. compact in protecting Nebraska's full entitlement to flows of the South
35. Platte River.
36. (4) For purposes of this section, the Department of Natural
37. Resources may acquire real estate or access thereto in the name of the
38. State of Nebraska by the use of eminent domain as provided under section
39. 76-725.
40. (5) The department may resolve all disputes that arise, including
41. the initiation or defense of legal actions of any kind, as necessary to
42. achieve the purposes of this section.

SELECT FILE

LEGISLATIVE BILL 1241. ER111, found on page 694, was adopted.

Senator Clements withdrew his amendment, AM2353, found on page 851.

Senator Clements withdrew his amendment, FA126, found on page 851.

Senator Clements withdrew his amendment, AM2173, found on page 829.

Senator Clements offered his amendment, AM2485, found on page 807, to the Enrollment and Review amendment.

Senator McKinney offered the following amendment to the Clements amendment:

AM2560

(Amendments to AM2485)

1. On page 2, after line 25 insert the following new subsection:
2. "(2) A law enforcement officer shall not be eligible for a tier 1,
3. tier 2, or tier 3 retention incentive payment under this section if:
4. (a) Such law enforcement officer's certification has ever been
5. revoked;
6. (b) Such law enforcement officer has ever been convicted of a felony
7. or Class I misdemeanor. This subdivision shall not apply if the law
8. enforcement officer received a pardon or set aside for such conviction;
9. (c) Such law enforcement officer has ever been adjudicated by the
10. council to have engaged in serious misconduct, as such term is defined in
11. section 81-1401; or
12. (d) Such law enforcement officer was allowed to resign instead of
13. being terminated from employment. This subdivision shall only apply if
14. the law enforcement officer's certification would have been revoked had
15. he or she not resigned."
The McKinney amendment was adopted with 41 ayes, 0 nays, 4 present and not voting, and 4 excused and not voting.

The Clements amendment, as amended, was adopted with 42 ayes, 0 nays, 3 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 741.** ER122, found on page 732, was adopted.

Senator DeBoer offered her amendment, AM2163, found on page 795.

The DeBoer amendment was adopted with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

Senator Brandt withdrew his amendment, AM2177, found on page 795.

Senator Brandt offered his amendment, AM2309, found on page 857.

The Brandt amendment was adopted with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

Senator Pansing Brooks offered her amendment, AM2402, found on page 877.

The Pansing Brooks amendment was adopted with 41 ayes, 0 nays, 4 present and not voting, and 4 excused and not voting.

Senator DeBoer offered her amendment, AM2358, found on page 877.

The DeBoer amendment was adopted with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 519.** ER138, found on page 823, was adopted.

Senator Lathrop offered his amendment, AM2311, found on page 857.

The Lathrop amendment was adopted with 41 ayes, 0 nays, 5 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 917.** Senator Wayne withdrew, AM2204, found on page 769.
Senator Wayne offered the following amendment: AM2469 is available in the Bill Room.

The Wayne amendment was adopted with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1023**, ER139, found on page 824, was adopted.

Speaker Hilgers offered his amendment, AM2300, found on page 836.

Senator M. Cavanaugh offered her amendment, AM2496, found on page 920, to the Hilgers amendment.

Pending.

**AMENDMENT(S) - Print in Journal**

Senator Hunt filed the following amendment to LB933: AM1568
1 1. On page 2, line 17, after "use" insert ", provide"; after
2 "instrument" insert ", product, food item, alcohol, beverage, chemical";
3 in line 18 strike beginning with "with" through "abetting" and insert
4 "which causes"; and in line 20 strike "and" and insert "," and after
5 "knowing" insert ", or negligent".

Senator Hunt filed the following amendment to LB933: AM1570
1 1. On page 3, line 14, strike "one or more" and insert "all".

Senator Hunt filed the following amendment to LB933: AM1575
1 1. On page 3, line 24, after "a" insert "bipartisan".

Senator Morfeld filed the following amendment to LB1014: AM2561
(Amendments to Standing Committee amendments, AM2330)
1 1. Insert the following new section:
2 Sec. 20. AGENCY NO. 25 — DEPARTMENT OF HEALTH AND HUMAN SERVICES
3 Program No. 502 - Public Health Aid
4 FY2021-22 FY2022-23
5 FEDERAL FUND 500,000 0
6 PROGRAM TOTAL 500,000 0
7 There is included in the appropriation to this program for FY2021-22
8 $500,000 Federal Funds for state aid, which shall only be used for such
9 purpose.
10 There is included in the amount shown as aid for this program for
11 FY2021-22 $500,000 Federal Funds for the Human Immunodeficiency Virus
12 (HIV) Surveillance and Prevention Programs for education on the benefits
13 of preexposure prophylaxis medication and for the costs of medication.
14 2. On page 24, lines 27 and 28, strike "$47,000,000" and insert
15 "$46,500,000"; and in line 30 strike "$47,000,000" and insert
Senator M. Cavanaugh filed the following amendment to LB1015:

AMENDMENT

1. Insert the following new section:

Sec. 4. The Director of Natural Resources, the employees of the Department of Natural Resources, or their immediate family members shall not, directly or indirectly, hold a financial interest in any entity which is party to a contract or have a financial interest in the ownership or lease of any property relating to the development, construction, management, or operation of the Perkins County Canal Project. For purposes of this section, immediate family member means a spouse, child, sibling, parent, grandparent, or grandchild.

2. On page 2, line 1, strike “3” and insert “4”.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator M. Hansen name added to LB825.

VISITOR(S)

Visitors to the Chamber were members of Dawson Area Development, Dawson County; fourth- and sixth-grade students and their teachers from Trinity Lutheran, Grand Island; fourth grade students and their teachers from Whitetail Creek Elementary, Gretna; and University of Nebraska Students, Alumni, and Supporters from across the state.

ADJOURNMENT

At 8:00 p.m., on a motion by Senator Lowe, the Legislature adjourned until 9:00 a.m., Thursday, March 24, 2022.

Patrick J. O'Donnell
Clerk of the Legislature
FORTY-SEVENTH DAY - MARCH 24, 2022

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

FORTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, March 24, 2022

PRAYER

The prayer was offered by Senator McCollister.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Halloran.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Hughes presiding.

The roll was called and all members were present except Senator Pahls who was excused; and Senators Arch, Bostar, Day, B. Hansen, M. Hansen, Hunt, Morfeld, Pansing Brooks, Walz, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-sixth day was approved.

COMMITTEE REPORT(S)

Judiciary

LEGISLATIVE BILL 921. Placed on General File with amendment.

AM2503

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 29-1823, Revised Statutes Cumulative Supplement,
4 2020, is amended to read:
5 29-1823 (1) If at any time prior to or during trial it appears that
6 the defendant has become mentally incompetent to stand trial, such
7 disability may be called to the attention of the district or county court
8 by the county attorney or city attorney, by the defendant, or by any
9 person for the defendant. The judge of the district or county court of
10 the county where the defendant is to be tried shall have the authority to
11 determine whether or not the defendant is competent to stand trial. The
determine whether or not the defendant is competent to stand trial. The
defendant may also cause such medical, psychiatric, or psychological
examination of the defendant to be made as he or she deems warranted and
examination of the defendant to be made as he or she deems warranted and
hold such hearing as he or she deems necessary. The cost of the
hold such hearing as he or she deems necessary. The cost of the
examination, when ordered by the court, shall be the expense of the
examination, when ordered by the court, shall be the expense of the
county within which the crime is charged. The judge may allow any physician,
county within which the crime is charged. The judge may allow any physician,
psychiatrist, or psychologist a reasonable fee for his or her services,
psychiatrist, or psychologist a reasonable fee for his or her services,
which amount, when determined by the judge, shall be certified to the
which amount, when determined by the judge, shall be certified to the
county board which shall cause payment to be made. Should the judge
county board which shall cause payment to be made. Should the judge
dermine after a hearing that the defendant is mentally incompetent to
dermine after a hearing that the defendant is mentally incompetent to
stand trial and that there is a substantial probability that the
doctor will become competent within the reasonably foreseeable future,
doctor will become competent within the reasonably foreseeable future,
the doctor shall order the defendant to be committed to the Department of
the doctor shall order the defendant to be committed to the Department of
Health and Human Services to provide appropriate treatment to restore
Health and Human Services to provide appropriate treatment to restore
competency. This may include commitment to a state hospital for the
competency. This may include commitment to a state hospital for the
mentally ill, another appropriate state-owned or state-operated facility,
mentally ill, another appropriate state-owned or state-operated facility,
or a contract facility or provider pursuant to an alternative treatment
or a contract facility or provider pursuant to an alternative treatment
plan proposed by the department and approved by the court under
plan proposed by the department and approved by the court under
subsection (2) of this section until such time as the disability may be
subsection (2) of this section until such time as the disability may be
removed.
removed.

4 (2)(a) If the department determines that treatment by a contract
facility or provider is appropriate, the department shall file a report
outlining its determination and such alternative treatment plan with the
court. Within twenty-one days after the filing of such report, the court
shall hold a hearing to determine whether such treatment is appropriate.
The court may approve or deny such alternative treatment plan.

10 (b) A defendant shall not be eligible for treatment by a contract
facility or provider under this subsection if the judge determines that
the public's safety would be at risk.

13 (3) Within sixty days after entry of the order committing the
defendant to the department, and every sixty days thereafter until either
the disability is removed or other disposition of the defendant has
been made, the court shall hold a hearing to determine (a) whether the
defendant is competent to stand trial or (b) whether or not there is a
substantial probability that the defendant will become competent within
the reasonably foreseeable future.

15 (4) If it is determined that there is not a substantial probability
that the defendant will become competent within the reasonably
foreseeable future, then the state shall either (a) commence the
applicable civil commitment proceeding that would be required to commit
any other person for an indefinite period of time or (b) release the
defendant. If during the period of time between the sixty-day review
hearings set forth in subsection (3) of this section it is the opinion of
the department that the defendant is competent to stand trial, the
department shall file a report outlining its opinion with the court and
within seven days after such report being filed the court shall hold a
hearing to determine whether or not the defendant is competent to stand
trial. The state shall pay the cost of maintenance and care of the
defendant during the period of time ordered by the court for treatment to
remove the disability.

3 (5) The defendant, by and through counsel, may move to be discharged
from the offenses charged in the complaint or information for the reason
that there is not a substantial probability that the defendant will
become competent within the reasonably foreseeable future.

7 (6) In determining whether there is a substantial probability that a
defendant will become competent in the reasonably foreseeable future, the
court shall take into consideration the likely length of any sentence
that would be imposed upon the defendant. If the court discharges the
defendant, the court shall state whether such discharge is with or
without prejudice.
13 (7)(a) If a judge orders a defendant to be committed to the
14 Department of Health and Human Services to receive treatment to restore
15 competency and such defendant remains lodged in the county jail, the
16 department shall reimburse the county for lodging the defendant.
17 (b) Costs of lodging the defendant shall include the daily rate of
18 lodging the defendant, food, medical services, transportation, and any
19 other necessary costs incurred by the county to lodge the defendant.
20 (c) The daily rate of lodging the defendant shall be one hundred
21 dollars per day for each day or portion thereof after the first thirty
22 days that the defendant is lodged in the county jail after a
23 determination by a judge that the defendant is required to be restored to
24 competency. On July 1, 2023, and each July 1 thereafter, the department
25 shall adjust the amount to be reimbursed to the county jails by an amount
26 equal to the percentage increase, if any, in the Consumer Price Index for
27 All Urban Consumers, as published by the United States Department of
28 Labor, Bureau of Labor Statistics, for the twelve months ending on June
29 30 of such year.
30 (d) For purposes of this section, medical services has the same
31 meaning as provided in subsection (2) of section 47-701.
32 Sec. 2. Section 47-706, Reissue Revised Statutes of Nebraska, is
33 amended to read:
34 47-706 (1) It is the intent of the Legislature to ensure that human
35 services agencies, correctional facilities, and detention facilities
36 recognize that:
37 (a) Federal law generally does not authorize federal financial
38 participation for medicaid when a person is an inmate of a public
39 institution as defined in federal law but that federal financial
40 participation is available after an inmate is released from
41 incarceration; and
42 (b) The fact that an applicant is currently an inmate does not, in
43 and of itself, preclude the Department of Health and Human Services from
44 processing an application submitted to it by, or on behalf of, the
45 inmate.
46 (2)(a) Medical assistance under the medical assistance program shall
47 be suspended, rather than canceled or terminated, for a person who is an
48 inmate of a public institution if:
49 (i) The Department of Health and Human Services is notified of the
50 person's entry into the public institution;
51 (ii) On the date of entry, the person was enrolled in the medical
52 assistance program; and
53 (iii) The person is eligible for the medical assistance program
54 except for institutional status.
55 (b) A suspension under subdivision (2)(a) of this section shall end
56 on the date the person is no longer an inmate of a public institution.
57 (c) Upon release from incarceration, such person shall continue to
58 be eligible for receipt of medical assistance until such time as the
59 person is otherwise determined to no longer be eligible for the medical
60 assistance program.
61 Sec. 3(a) The Department of Correctional Services shall notify the
62 Department of Health and Human Services:
63 (i) Within twenty days after receiving information that a person
64 receiving medical assistance under the medical assistance program is or
65 will be an inmate of a public institution; and
66 (ii) Within forty-five days prior to the release of a person who
67 qualified for suspension under subdivision (2)(a) of this section.
68 (b) Local correctional facilities, juvenile detention facilities,
69 and other temporary detention centers shall notify the Department of
70 Health and Human Services within ten days after receiving information
71 that a person receiving medical assistance under the medical assistance
72 program is or will be an inmate of a public institution.
(4) (a) For individuals who are inmates of a public institution and have at least sixty days' prior notice of their anticipated release date:

    (i) The Department of Health and Human Services shall provide inmate, telephonic, or live video medical assistance program enrollment assistance to each inmate at least sixty days before the inmate's release from a public institution. The department shall submit each inmate's medical assistance program application at least forty-five days prior to the inmate's release from a public institution unless the inmate elects not to apply for the medical assistance program in writing or the inmate is currently enrolled in the medical assistance program with suspended coverage under subsection (2) of this section; and

    (ii) The Department of Health and Human Services shall process each inmate's medical assistance program application prior to the inmate's release from a public institution such that medical assistance program coverage is effective for an eligible individual no later than the day of release from a public institution.

(b) For individuals who are inmates of a public institution and have less than sixty days' prior notice of their anticipated release date:

    (i) The Department of Health and Human Services shall provide onsite, certified third-party enrollment assistance providers to provide the enrollment assistance and application submission required by this subsection.

    (d) The Department of Health and Human Services shall take all necessary actions to maximize federal financial participation pursuant to this subsection.

Nothing in this section shall create a state-funded benefit or program.

(6) (a) For purposes of this section, medical assistance program means the medical assistance program under the Medical Assistance Act and the State Children's Health Insurance Program.

(7) (a) This section shall be implemented only if, and to the extent, allowed by federal law. This section shall be implemented only to the extent that any necessary federal approval of state plan amendments or other federal approvals are obtained. The Department of Health and Human Services shall seek such approval if required.

(8) (a) Local correctional facilities, the Nebraska Commission on Law Enforcement and Criminal Justice, and the Office of Probation Administration shall cooperate with the Department of Health and Human Services and the Department of Correctional Services for purposes of facilitating information sharing to achieve the purposes of this section.

The Department of Correctional Services shall adopt and promulgate rules and regulations, in consultation with the Department of Health and Human Services and local correctional facilities, to carry out this section.

(b) The Department of Health and Human Services shall adopt and
9 promulgate rules and regulations, in consultation with the Department of
10 Correctional Services and local correctional facilities, to carry out
11 this section.
12 Sec. 3. Section 83-338, Reissue Revised Statutes of Nebraska, is
13 amended to read:
14 83-338 (1) If at any time it becomes necessary, for lack of
15 capacity or other cause, to establish priorities for the admission of
16 patients into the state hospitals for the mentally ill, the following
17 priorities for admission shall be limited to recognized; (a) Patients
18 whose care in the state hospital is necessary in order to protect the
19 public health and safety; (b) defendants who are determined by a court to
20 be incompetent to stand trial and who remain lodged in the county jail;
21 (c) patients committed by a mental health board under the Nebraska
22 Mental Health Commitment Act or the Sex Offender Commitment Act or by a
23 district court; (d) patients who are most likely to be benefited by
24 treatment in the state hospitals, regardless of whether such patients are
25 committed by a mental health board or whether such patients seek
26 voluntary admission to one of the state hospitals; and (e) when cases
27 are equally meritorious, in all other respects, patients who are
28 indigent.
29 (2) State hospitals for the mentally ill shall provide a minimum
30 number of beds equal to the following percentages of total available
31 capacity:
32 (a) Fifteen percent for patients entering the facility pursuant to
33 subdivision (1)(a) of this section;
34 (b) Fifteen percent for patients entering the facility pursuant to
35 subdivision (1)(b) of this section;
36 (c) Forty-five percent for patients entering the facility pursuant
37 to subdivision (1)(c) of this section;
38 (d) Fifteen percent for patients entering the facility pursuant to
39 subdivision (1)(d) of this section; and
40 (e) Ten percent for patients entering the facility pursuant to
41 subdivision (1)(e) of this section.
42 (3) Beginning on or before November 1, 2022, the Department of
43 Health and Human Services shall make available on its website a weekly
44 report on the capacity and status of state-operated mental health
45 facilities, including, but not limited to, the capacity and wait times
46 associated with each priority category established in subsection (1) of
47 this section.
48 Sec. 4. (1) The Legislative Mental Health Care Capacity Strategic
49 Planning Committee is established. The committee shall consist of
50 the following members: (a) The chairperson of the Judiciary Committee of the
51 Legislature or his or her designee, (b) the chairperson of the Health and
52 Human Services Committee of the Legislature or his or her designee, (c)
53 the chairperson of the Appropriations Committee of the Legislature or his
54 or her designee, and (d) four senators selected by the chairperson of the
55 Executive Board of the Legislative Council.
56 (2)(a) No later than November 1, 2022, the Legislative Mental Health
57 Care Capacity Strategic Planning Committee shall contract with an
58 independent consultant with expertise in inpatient mental health care
59 delivery. The consultant shall assist the committee in determining the
60 necessary capacity for inpatient mental health care beds for both state-
61 operated and privately owned facilities based on best practices in mental
62 health care. The consultant shall provide recommendations to achieve the
63 necessary capacity if the current state inpatient mental health bed
64 capacity is insufficient.
65 (b) On or before November 1, 2023, the consultant shall provide a
66 written report of its findings and recommendations to the Legislative
67 Mental Health Care Capacity Strategic Planning Committee.
68 (3) This section terminates on November 1, 2024.
LEGISLATIVE BILL 1010. Placed on General File with amendment. AM2435 is available in the Bill Room.

(Signed) Steve Lathrop, Chairperson

SELECT FILE

LEGISLATIVE BILL 1011. ER150, found on page 898, was adopted.

Senator Lathrop offered his amendment, AM2110, found on page 774.

Senator Lathrop asked unanimous consent to withdraw his amendment, AM2222, found on page 774, and replace it with his substitute amendment, AM2465 to AM2110. No objections. So ordered.

AM2465 (Amendments to Standing Committee amendments, AM1999)
1 1. Purpose: For Agency 25 - Department of Health and Human Services: Correct an earmark amount.
2 Amendment:
4 a. On page 19, line 1, strike "$15,500,000" and insert "$15,580,000".
6 2. Purpose: For Agency 28 - Department of Veterans' Affairs: Correct an appropriation source.
8 Amendment:
9 a. On page 19, line 28, strike "CASH FUND" and insert "VETERAN CEMETERY CONSTRUCTION FUND".
11 3. Purpose: For Agency 29 - Department of Natural Resources: Correct the Salary Limit and aid earmark amount to reflect the fiscal note for LB1074.
13 Amendment:
14 a. On page 20, line 22, strike "123,661" and insert "201,243"; and in lines 24 and 27 strike "$50,000,000" and insert "$49,876,642".
17 4. Purpose: For Agency 33 - Game and Parks Commission: Correct an appropriation amount and program total.
19 Amendment:
20 a. On page 23, line 14, strike "1,240,065" and insert "1,340,065"; and in line 15 strike "1,247,886" and insert "1,347,886".
22 5. Purpose: For Agency 5 - Supreme Court: Clarify an aid earmark.
23 Amendment:
24 a. On page 44, line 27, strike "$6,000,000" and insert "equivalent to" and 25 strike "increase" and insert "increases".
26 6. Purpose: For Agency 13 - State Department of Education: Correct a General Fund appropriation amount and program total and change an aid earmark.
28 Amendment:
3 a. On page 45, line 4, strike "1,305,956,097" and insert "1,306,056,097"; in line 7 strike "1,710,902,088" and insert "$1,711,002,088"; and in line 16 strike "$1,305,956,097" and insert "$1,306,056,097".
32 7. Purpose: For General Fund transfers: Insert an omitted fund transfer.
34 8.
10 Amendment:
11 a. On page 89, line 13, strike "and"; in line 17 strike the period
12 and insert "; and"; and after line 17 insert the following new
13 subdivision:
14 "(k) The Governor's Emergency Cash Fund: $5,000,000 after July 1,
15 2022, but before June 30, 2023, on such dates and in such amounts as
16 directed by the budget administrator of the budget division of the
17 Department of Administrative Services."
18 8. Purpose: For Cash, Revolving, and Trust Fund Lapses and
19 Transfers: Correct the name of a fund.
20 Amendment:
21 a. On page 92, line 19; and page 95, line 10, strike "Remedial
22 Release Action" and insert "Release Remedial Action Cash".

SENATOR WILLIAMS PRESIDING

SENATOR HUGHES PRESIDING

SENATOR WILLIAMS PRESIDING

Pending.

COMMITTEE REPORT(S)

Education

LEGISLATIVE RESOLUTION 335. Reported to the Legislature for
further consideration.

(Signed) Lynne Walz, Chairperson

AMENDMENT(S) - Print in Journal

Senator M. Hansen filed the following amendment to LB919:
AM2547 is available in the Bill Room.

AM2563

1 1. On page 2, line 5, strike "school employee" and insert "person
2 affiliated with such school building or other division".

Senator Day filed the following amendment to LB852:
AM2563

1 1. Strike section 27.
2 2. On page 36, lines 15 and 16, strike "4,000,000" and insert
3 "$24,000,000"; and in lines 18 and 21 strike "$4,000,000" and insert
4 "$24,000,000".
5 3. Renumber the remaining sections and correct internal references
6 accordingly.

Senator Friesen filed the following amendment to LB1014:
AM2550

(Amendments to Standing Committee amendments, AM2330)
1 1. Strike section 27.
2 2. On page 36, lines 15 and 16, strike "4,000,000" and insert
3 "$24,000,000"; and in lines 18 and 21 strike "$4,000,000" and insert
4 "$24,000,000".
5 3. Renumber the remaining sections and correct internal references
6 accordingly.
Senator Friesen filed the following amendment to LB1014:

**AM2536**

(Amendments to Standing Committee amendments, AM2330)

1. On page 25, strike lines 4 through 29; and in line 30 strike "(3)"
   2. (a) and insert "(2(a)"
   3. On page 26, line 25, strike "(4)" and insert "(3)"
   4. On page 27, line 5, strike "(5(a)"
   5. (2) strike "(5)" and insert "(4)"; in line 25 strike "(5)" and insert "(4)"; and in line 29 strike "(6)" and insert "(5)"
   7. 4. On page 28, line 2, strike "(7)" and insert "(6)"

Senator Friesen filed the following amendment to LB1014:

**AM2534**

(Amendments to Standing Committee amendments, AM2330)

1. Strike section 34.
2. 2. Renumber the remaining sections and correct internal references
3. accordingly.

Senator Friesen filed the following amendment to LB1014:

**AM2537**

(Amendments to Standing Committee amendments, AM2330)

1. Strike section 37.
2. 2. Renumber the remaining sections and correct internal references
3. accordingly.

Senator Brewer filed the following amendment to LB512:

**AM2357**

(Amendments to Standing Committee amendments, AM1620)

1. Strike amendments 1 through 3 and insert the following new
2. amendment:
3. 3. Strike the original sections and insert the following new
4. sections:
5. Section 1. Section 81-829.39, Reissue Revised Statutes of Nebraska,
6. is amended to read:
7. 81-829.39 For purposes of the Emergency Management Act, unless the
8. context otherwise requires:
9. (1) Civil defense emergency means an emergency declared by the
10. President of the United States or Congress pursuant to applicable federal
11. law finding that an attack upon the United States has occurred or is
12. anticipated and that the national safety therefor requires the invocation
13. of the emergency authority provided for by federal law. Civil defense
14. emergency also means an enemy attack or other hostile action within the
15. State of Nebraska or a determination by the President of the United
16. States that any attack has been made upon or is anticipated within a
17. designated geographic area which includes all or a part of the State of
18. Nebraska. Any such emergency shall terminate in the manner provided by
19. federal law or by proclamation of the Governor or resolution of the
20. Legislature terminating such emergency;
21. (2) Disability has the same meaning as in 42 U.S.C. 12102, as such
22. section existed on January 1, 2022;
23. (3) Disaster means any event or the imminent threat thereof
24. causing widespread or severe damage, injury, or loss of life or property
25. resulting from any natural or manmade cause;
26. (4) Emergency means any event or the imminent threat thereof
1. causing serious damage, injury, or loss of life or property resulting
2. from any natural or manmade cause which, in the determination of the
3. Governor or the principal executive officer of a local government,
4. requires immediate action to accomplish the purposes of the Emergency
5. Management Act and to effectively respond to the event or threat of the
6. event;
Emergency management means the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to mitigate, prevent, minimize, respond to, and recover from injury and damage resulting from disasters, emergencies, or civil defense emergencies. Emergency management functions include, but need not be limited to, firefighting services, police services, medical and health services, search and rescue services, engineering services, communications and warning systems, radiological preparedness, hazardous materials response, evacuation of persons from stricken areas, emergency welfare services, emergency transportation services, restoration of public utility services, and other functions related to civilian protection, together with all other activities necessary or incidental to the preparation for and carrying out of the functions listed in this subdivision;

Emergency management worker includes any full-time or part-time paid, volunteer, or auxiliary employee of this state or other states, territories, or possessions of the federal government or any neighboring country or of any political subdivision thereof, of the District of Columbia, or of any agency or organization performing emergency management services at any place in this state subject to the order or control of or pursuant to a request of the state government or any political subdivision thereof and also includes instructors and students in emergency management educational programs approved by the Nebraska Emergency Management Agency or otherwise under the provisions of the Emergency Management Act;

Functional needs means additional needs before, during, and after a disaster or an emergency in one or more functional areas, including, but not limited to, maintaining independence, communication, transportation, safety, support, and health care;

Hazard mitigation means measures which will eliminate or reduce the potential for damage to an area or facility from the effects of a future disaster, emergency, or civil defense emergency;

Local government means a county, village, or city of any class;

Political subdivision means a city, village, county, school district, public power district, natural resources district, and any other unit of government below the state level, including any entity created pursuant to the Interlocal Cooperation Act or the Joint Public Agency Act;

Principal executive officer means the mayor in a city of any class or the elected chairperson of the governing body of a village or county;

State emergency response team means an organization for the management established in accordance with the provisions of sections 81-829.52 to 81-829.54 by state authority to supplement city, village, county, or interjurisdictional emergency management organizations in a stricken area; and

Technological hazard means a hazard emanating from the manufacture, transportation, and use of such substances as radioactive materials, chemicals, explosives, flammables, agricultural pesticides, herbicides, disease agents, oil spills, and debris from space.

The Nebraska Emergency Management Agency shall be maintained in the office of the Adjutant General. The Adjutant General shall be the director of the agency, shall administer the Emergency Management Act subject to the direction and control of the Governor, and shall receive such compensation for these services as shall be determined by the Governor. The agency shall have an assistant director and such other professional, technical, secretarial, and clerical employees as are necessary for the performance of its functions.

The agency shall maintain an emergency operations plan and keep it current. The plan may include, but need not be limited to:

A history of Nebraska disasters, emergencies, and civil defense...
9 emergencies;
10 (b) An analysis of past and potential disasters, emergencies, and
11 civil defense emergencies, including an identification of the functions
12 and resources required to cope with such occurrences. The expected
13 frequency of occurrence, along with the severity of effect, shall
14 indicate the priority of preparedness efforts of the emergency management
15 organizations of the state;
16 (c) Measures to be undertaken to accomplish damage assessment and
17 situation analysis, warning, direction and control, coordination of
18 operating forces, emergency resource management, emergency information
19 and official instructions, communications and other necessary support to
20 emergency response operations, and coordination and cooperation of
21 federal, state, local, and nongovernmental agencies so as to provide a
22 prompt and effective response to disasters, emergencies, and civil
23 defense emergencies to prevent and minimize the injury and damage;
24 (d) The provision of relief and recovery assistance to individuals,
25 political subdivisions of the state, and state agencies;
26 (e) Identification of areas of the state particularly vulnerable to
27 disaster, emergency, or civil defense emergency;
28 (f) Recommendations for preventive and preparedness measures
29 designed to eliminate or reduce disasters, emergencies, or civil defense
30 emergencies or their impact, including, but not limited to, zoning,
31 building, and other land-use control, and safety measures for securing
1 mobile homes or other nonpermanent or semipermanent structures;
2 (g) Authorization and procedures for the erection or other
3 construction of temporary works designed to protect against or mitigate
4 danger, damage, or loss from flood, conflagration, or other disaster,
5 emergency, or civil defense emergency;
6 (h) Assistance in designing city, village, county, and
7 interjurisdictional emergency operations plans;
8 (i) Preparation and distribution to the appropriate state and
9 political subdivision officials of catalogs of federal, state, and
10 private disaster assistance programs; and
11 (j) Other necessary matters.
12 (3) The Nebraska Emergency Management Agency shall take an integral
13 part in the development and revision of city, village, county, and
14 interjurisdictional emergency operations plans prepared under section
15 81-829.46. It shall employ or otherwise secure the services of
16 professional and technical personnel capable of providing expert
17 assistance to political subdivisions and to city, village, county, and
18 interjurisdictional emergency management organizations. Such personnel
19 shall consult with such political subdivisions and organizations on a
20 regularly scheduled basis and shall make field examinations of the areas,
21 circumstances, and conditions to which particular city, village, county,
22 and interjurisdictional emergency operations plans are intended to apply
23 and may suggest or require revisions.
24 (4) In preparing and revising the Nebraska emergency operations
25 plans, the agency shall seek the advice and assistance of other agencies
26 of government and the private sector, including organizations providing
27 advocacy or other services to persons with disabilities or who have
28 functional needs. In advising city, village, county, and
29 interjurisdictional emergency management organizations, the Nebraska
30 Emergency Management Agency shall encourage them to also seek advice from
31 these sources.
1 (5) The Nebraska emergency operations plans or any part thereof may
2 be incorporated in rules or regulations of the agency.
3 (6) The agency shall:
4 (a) Determine the requirements of the state and its political
5 subdivisions for basic necessities such as food, clothing, and shelter in
6 various disaster, emergency, or civil defense emergency situations;
7 (b) Procure and pre-position emergency supplies, materials, and
8 equipment;
9 (c) Adopt and promulgate rules and regulations setting out standards
10 and requirements for city, village, county, and interjurisdictional
11 emergency operations plans;
12 (d) Periodically review city, village, county, and
13 interjurisdictional emergency operations plans;
14 (e) Provide for state emergency response teams;
15 (f) Establish and operate or assist local governments, their
16 emergency management organizations, and interjurisdictional emergency
17 management organizations in establishing and operating training programs
18 and programs of public information;
19 (g) Make surveys of such industries, resources, and facilities, both
20 public and private, within the state as are necessary to carry out the
21 purposes of the Emergency Management Act;
22 (h) Plan and make arrangements for the availability and use of any
23 private facilities, services, and property and, if necessary and if in
24 fact used, provide for payment for use under terms and conditions agreed
25 upon;
26 (i) Establish a register of persons and organizations with training
27 and skills important in disaster prevention, mitigation, preparedness,
28 response, and recovery and emergency management;
29 (j) Establish a register of mobile and construction equipment and
30 temporary housing available for use in a disaster or emergency;
31 (k) Prepare for issuance by the Governor proclamations, orders,
1 rules, and regulations as are necessary or appropriate in coping with
2 disasters, emergencies, and civil defense emergencies;
3 (l) Cooperate with the federal government and any public or private
4 agency or entity in achieving any purpose of the act and in implementing
5 programs for disaster prevention, mitigation, preparedness, response, and
6 recovery and emergency management;
7 (m) Coordinate state emergency response as directed by the Governor;
8 (n) Cooperate with other emergency management agencies and public
9 agencies in the development of emergency management registries which
10 include persons with disabilities or who have functional needs and the
11 families and guardians of such persons for purposes of planning for
12 assistance for such persons and their families and guardians before,
13 during, and after a disaster or other emergency. Participation in an
14 emergency management registry by persons with functional needs and their
15 families shall be voluntary. Information obtained by emergency management
16 agencies or other public agencies for such purposes shall not be
17 considered a public record under section 84-712.01. All information
18 acquired pursuant to this subdivision is confidential and shall not be
19 disclosed or released except to other agencies which have a legitimate
20 and official interest in the information for carrying out the purposes of
21 this subdivision. Any person acquiring information pursuant to this
22 subdivision who intentionally discloses or releases such information in
23 violation of this subdivision is guilty of a Class III misdemeanor; and
24 (o) Do other things necessary, incidental, or appropriate for the
25 implementation of the act,
26 Sec. 3. Original sections 81-829.39 and 81-829.41, Reissue Revised
27 Statutes of Nebraska, are repealed.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So
ordered.

Senator Flood name added to LB1241.

RECESS

At 12:02 p.m., on a motion by Senator Linehan, the Legislature recessed
until 1:00 p.m.
AFTER RECESS

The Legislature reconvened at 1:00 p.m., Senator Hughes presiding.

ROLL CALL

The roll was called and all members were present except Senator Pahls who was excused; and Senators Arch, Blood, Bostar, Bostelman, Briese, Day, DeBoer, Geist, B. Hansen, M. Hansen, McDonnell, McKinney, Morfeld, Pansing Brooks, Vargas, Walz, Wayne, and Williams who were excused until they arrive.

SELECT FILE

LEGISLATIVE BILL 1011. Senator Lathrop renewed his amendment, AM2465, found and considered in this day's Journal.

Senator J. Cavanaugh offered the following motion:

MO178 Bracket until March 25, 2022.

Senator Stinner offered the following motion:

MO179 Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Stinner moved for a call of the house. The motion prevailed with 30 ayes, 2 nays, and 17 not voting.

Senator Stinner requested a roll call vote, in reverse order, on the motion to invoke cloture.

Voting in the affirmative, 42:

Aguilar  Cavanaugh, J.  Halloran  Lowe  Slama
Albrecht  Clements  Hansen, B.  McCollister  Stinner
Arch  Day  Hilgers  McDonnell  Vargas
Blood  DeBoer  Hilkemann  McKinney  Walz
Bostar  Dorn  Hunt  Morfeld  Williams
Bostelman  Erdman  Jacobson  Moser  Wishart
Brandt  Flood  Kolterman  Murman
Brewer  Geist  Lathrop  Pansing Brooks
Briese  Gragert  Linehan  Sanders

Voting in the negative, 1:

Friesen

Present and not voting, 3:

Cavanaugh, M.  Hansen, M.  Hughes
Excused and not voting, 3:
Lindstrom  Pahls  Wayne

The Stinner motion to invoke cloture prevailed with 42 ayes, 1 nay, 3 present and not voting, and 3 excused and not voting.

The J. Cavanaugh motion to bracket failed with 0 ayes, 44 nays, 2 present and not voting, and 3 excused and not voting.

The Lathrop amendment, **AM2465**, was adopted with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

The Lathrop amendment, **AM2110**, as amended, was adopted with 39 ayes, 2 nays, 5 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

The Chair declared the call raised.

**LEGISLATIVE BILL 1012.**  **FR148**, found on page 889, was adopted.

Senator Friesen offered his amendment, **AM2351**, found on page 865.

**SENIOR ARCH PRESIDING**

Senator Friesen offered the following amendment to the amendment:

**FA147**

On page 1, line 1, strike "31" and insert "7"

Senator Friesen withdrew his amendment, **FA147**, to **AM2351**, and replaced it with his substitute amendment, **AM2576**, to **AM2351**.

**AM2576**  (Amendments to AM2351)

1 1. Strike amendments 1 and 2 and insert the following new amendment:
2 2. On page 10, line 11, strike "Cash Reserve Fund" and insert "Property Tax Credit Cash Fund".

Senator Friesen moved for a call of the house. The motion prevailed with 27 ayes, 3 nays, and 19 not voting.

Senator Slama requested a roll call vote on the following amendment.

Voting in the affirmative, 20:

<table>
<thead>
<tr>
<th>Aguilar</th>
<th>Brewer</th>
<th>Geist</th>
<th>Hughes</th>
<th>Moser</th>
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<tbody>
<tr>
<td>Albrecht</td>
<td>Erdman</td>
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<td>Jacobson</td>
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<td>Bostelman</td>
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<td>Halloran</td>
<td>Linehan</td>
<td>Sanders</td>
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<tr>
<td>Brandt</td>
<td>Friesen</td>
<td>Hansen, B.</td>
<td>Lowe</td>
<td>Slama</td>
</tr>
</tbody>
</table>
Voting in the negative, 17:

Arch Clements Hilgers McDonnell Wishart
Blood Day Hilkemann Stinner
Cavanaugh, J. DeBoer Koltermen Vargas
Cavanaugh, M. Dorn McCollister Williams

Present and not voting, 8:

Bostar Hunt McKinney Pansing Brooks
Hansen, M. Lathrop Morfeld Walz

Excused and not voting, 4:

Briese Lindstrom Pahls Wayne

The Friesen amendment lost with 20 ayes, 17 nays, 8 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Friesen withdrew his amendment, AM2351, found on page 865, and considered in this day's Journal.

Senator Friesen offered his amendment, AM2344, found on page 880.

SENATOR WILLIAMS PRESIDING

SENATOR HUGHES PRESIDING

Pending.

AMENDMENT(S) - Print in Journal

Senator J. Cavanaugh filed the following amendment to LB919:

AM2551

(Amendments to Standing Committee amendments, AM2513)
1 1. Insert the following new section:
2 Sec. 2. Section 77-2715.07, Revised Statutes Supplement, 2021, is
3 amended to read:
4 77-2715.07 (1) There shall be allowed to qualified resident
5 individuals as a nonrefundable credit against the income tax imposed by
6 the Nebraska Revenue Act of 1967:
7 (a) A credit equal to the federal credit allowed under section 22 of
8 the Internal Revenue Code; and
9 (b) A credit for taxes paid to another state as provided in section
10 77-2730.
11 (2) There shall be allowed to qualified resident individuals against
12 the income tax imposed by the Nebraska Revenue Act of 1967:
13 (a) For returns filed reporting federal adjusted gross incomes of
14 greater than twenty-nine thousand dollars, a nonrefundable credit equal
15 to twenty-five percent of the federal credit allowed under section 21 of
16 the Internal Revenue Code of 1986, as amended, except that for taxable
17 years beginning or deemed to begin on or after January 1, 2015, such
18 nonrefundable credit shall be allowed only if the individual would have
19 received the federal credit allowed under section 21 of the code after
20 adding back in any carryforward of a net operating loss that was deducted
21 pursuant to such section in determining eligibility for the federal
22 credit;
23 (b) For returns filed reporting federal adjusted gross income of
24 twenty-nine thousand dollars or less, a refundable credit equal to a
25 percentage of the federal credit allowable under section 21 of the
26 Internal Revenue Code of 1986, as amended, whether or not the federal
27 credit was limited by the federal tax liability. The percentage of the
28 federal credit shall be one hundred percent for incomes not greater than
29 twenty-two thousand dollars, and the percentage shall be reduced by ten
30 percent for each one thousand dollars, or fraction thereof, by which the
31 reported federal adjusted gross income exceeds twenty-two thousand
32 dollars, except that for taxable years beginning or deemed to begin on or
33 after January 1, 2015, such refundable credit shall be allowed only if
34 the individual would have received the federal credit allowed under
35 section 21 of the code after adding back in any carryforward of a net
36 operating loss that was deducted pursuant to such section in determining
37 eligibility for the federal credit;
38 (c) A refundable credit as provided in section 77-5209.01 for
39 individuals who qualify for an income tax credit as a qualified beginning
40 farmer or livestock producer under the Beginning Farmer Tax Credit Act
41 for all taxable years beginning or deemed to begin on or after January 1,
42 2006, under the Internal Revenue Code of 1986, as amended;
43 (d) A refundable credit for individuals who qualify for an income
44 tax credit under the Angel Investment Tax Credit Act, the Nebraska
45 Advantage Microenterprise Tax Credit Act, the Nebraska Advantage Research
46 and Development Act, or the Volunteer Emergency Responders Incentive Act;
47 and
48 (e)(1) A refundable credit equal to:
49 (A) Ten percent of the federal credit allowed under section 32
50 of the Internal Revenue Code of 1986, as amended, for taxable years
51 beginning or deemed to begin before January 1, 2025; and
52 (B) Seventeen percent of the federal credit allowed under section 32
53 of the Internal Revenue Code of 1986, as amended, for taxable years
54 beginning or deemed to begin on or after January 1, 2023;
55 (2) For exceptions for taxable years beginning or deemed to begin
56 on or after January 1, 2015, the refundable credit provided in
57 subdivision (2)(a)(i) of this section shall be allowed only if the
58 individual would have received the federal credit allowed under section
59 of the code after adding back in any carryforward of a net operating
60 loss that was deducted pursuant to such section in determining
61 eligibility for the federal credit.
62 (3) There shall be allowed to all individuals as a nonrefundable
63 credit against the income tax imposed by the Nebraska Revenue Act of
64 1967:
65 (a) A credit for personal exemptions allowed under section
66 77-2716.01;
67 (b) A credit for contributions to certified community betterment
68 programs as provided in the Community Development Assistance Act. Each
69 partner, each shareholder of an electing subchapter S corporation, each
70 beneficiary of an estate or trust, or each member of a limited liability
71 company shall report his or her share of the credit in the same manner
72 and proportion as he or she reports the partnership, subchapter S
73 corporation, estate, trust, or limited liability company income;
74 (c) A credit for investment in a biodiesel facility as provided in
75 section 77-27,236; and
76 (d) A credit as provided in the New Markets Job Growth Investment
20 Act;
21 (e) A credit as provided in the Nebraska Job Creation and Mainstreet
22 Revitalization Act;
23 (f) A credit to employers as provided in section 77-27,238; and
24 (g) A credit as provided in the Affordable Housing Tax Credit Act.
25 (h) There shall be allowed as a credit against the income tax
26 imposed by the Nebraska Revenue Act of 1967:
27 (a) A credit to all resident estates and trusts for taxes paid to
28 another state as provided in section 77-2730;
29 (b) Credit to all estates and trusts for contributions to
30 certified community betterment programs as provided in the Community
31 Development Assistance Act; and
32 (c) A refundable credit for individuals who qualify for an income
33 tax credit as an owner of agricultural assets under the Beginning Farmer
34 Tax Credit Act for all taxable years beginning or deemed to begin on or
35 after January 1, 2009, under the Internal Revenue Code of 1986, as
36 amended. The credit allowed for each partner, shareholder, member, or
37 beneficiary of a partnership, corporation, limited liability company, or
38 estate or trust qualifying for an income tax credit as an owner of
39 agricultural assets under the Beginning Farmer Tax Credit Act shall be
40 equal to the partner's, shareholder's, member's, or beneficiary's portion
41 of the amount of tax credit distributed pursuant to subsection (6) of
42 section 77-5211.
43 (5)(a) For all taxable years beginning on or after January 1, 2007,
44 and before January 1, 2009, under the Internal Revenue Code of 1986, as
45 amended, there shall be allowed to each partner, shareholder, member, or
46 beneficiary of a partnership, subchapter S corporation, limited liability
47 company, or estate or trust a nonrefundable credit against the income tax
48 imposed by the Nebraska Revenue Act of 1967 equal to fifty percent of the
49 amount of franchise tax paid to the state under sections 77-3801 to
50 77-3807 by a financial institution.
51 (b) For all taxable years beginning on or after January 1, 2009,
52 and before January 1, 2026, under the Internal Revenue Code of 1986, as
53 amended, there shall be
54 allowed to each partner, shareholder, member, or beneficiary of a
55 partnership, subchapter S corporation, limited liability company, or
56 estate or trust a nonrefundable credit against the income tax imposed by
57 the Nebraska Revenue Act of 1967 equal to the partner's, shareholder's,
58 member's, or beneficiary's portion of the amount of franchise tax paid to
59 the state under sections 77-3801 to 77-3807 by a financial institution.
60 (c) Each partner, shareholder, member, or beneficiary shall report
61 his or her share of the credit in the same manner and proportion as he or
62 she reports the partnership, subchapter S corporation, limited liability
63 company, or estate or trust income. If any partner, shareholder, member,
64 or beneficiary cannot fully utilize the credit for that year, the credit
65 may not be carried forward or back.
66 (6) There shall be allowed to all individuals nonrefundable credits
67 against the income tax imposed by the Nebraska Revenue Act of 1967 as
68 provided in section 77-3604 and refundable credits against the income tax
69 imposed by the Nebraska Revenue Act of 1967 as provided in section
70 8 77-3605.
71 (7)(a) For taxable years beginning or deemed to begin on or after
72 January 1, 2020, and before January 1, 2026, under the Internal Revenue
73 Code of 1986, as amended, a nonrefundable credit against the income tax
74 imposed by the Nebraska Revenue Act of 1967 in the amount of five
75 thousand dollars shall be allowed to any individual who purchases a
76 residence during the taxable year if such residence:
77 (i) Is located within an area that has been declared an extremely
78 blighted area under section 18-2101.02;
79 (ii) Is the individual's primary residence; and
18 (iii) Was not purchased from a family member of the individual or a
19 family member of the individual's spouse.
20 (b) The credit provided in this subsection shall be claimed for the
21 taxable year in which the residence is purchased. If the individual
22 cannot fully utilize the credit for such year, the credit may be carried
23 forward to subsequent taxable years until fully utilized.
24 (c) No more than one credit may be claimed under this subsection
25 with respect to a single residence.
26 (d) The credit provided in this subsection shall be subject to
27 recapture by the Department of Revenue if the individual claiming the
28 credit sells or otherwise transfers the residence or quits using the
29 residence as his or her primary residence within five years after the end
30 of the taxable year in which the credit was claimed.
31 (e) For purposes of this subsection, family member means an
1 individual's spouse, child, parent, brother, sister, grandchild, or
2 grandparent, whether by blood, marriage, or adoption.
3 (8) There shall be allowed to all individuals refundable credits
4 against the income tax imposed by the Nebraska Revenue Act of 1967 as
5 provided in the Nebraska Property Tax Incentive Act and the Renewable
6 Chemical Production Tax Credit Act.
7 (9)(a) For taxable years beginning or deemed to begin on or after
8 January 1, 2022, under the Internal Revenue Code of 1986, as amended, a
9 refundable credit against the income tax imposed by the Nebraska Revenue
10 Act of 1967 shall be allowed to the parent of a stillborn child if:
11 (i) A fetal death certificate is filed pursuant to subsection (1) of
12 section 71-606 for such child;
13 (ii) Such child had advanced to at least the twentieth week of
14 gestation; and
15 (iii) Such child would have been a dependent of the individual
16 claiming the credit.
17 (b) The amount of the credit shall be two thousand dollars.
18 (c) The credit shall be allowed for the taxable year in which the
19 stillbirth occurred.
20 2. Renumber the remaining sections, correct internal references, and
21 correct the repealer accordingly.

Senator J. Cavanaugh filed the following amendment to LB919:
AM2545

(Amendments to Standing Committee amendments, AM2513)
1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Sec. 2. (1) The Department of Revenue shall distribute the funds
4 appropriated pursuant to section 1 of this act directly to residents of
5 Nebraska as provided in this section. The distribution shall be in the
6 form of a prepaid debit card in an amount which equals four hundred
7 million dollars, less the cost of the prepaid debit cards, program costs,
8 and administrative costs, divided by the number of residents of Nebraska
9 on July 1, 2022.
14 (2)(a) The department shall mail the prepaid debit card to the
15 address of each resident who has an address on record with the department
16 as of July 1, 2022, and shall provide a method of application for each
17 resident as of July 1, 2022, who does not have an address on record with
18 the department or does not receive a card. The department may require
19 evidence of residency in Nebraska as of July 1, 2022, as needed to carry
20 out this section.
21 (b) For dependents as determined by the department, the prepaid
22 debit card shall be sent to the head of household for use by the head of
23 household.
24 (3) The department shall design the prepaid debit card so that it
25 (g) may only be used at a business located in Nebraska, (b) is activated
26 by telephone, and (c) must be used within twelve months after the date
1 the card is activated.
2 (4) The prepaid debit card shall not be accessible at an automated
teller machine, shall not be eligible for cash back at a point-of-sale
3 system, and shall not be used to make any purchase associated with
4 gambling or any lottery.
5 (5) The department shall contract with a prepaid debit card vendor
to facilitate the distribution of the prepaid debit cards to Nebraska
6 residents. Before awarding a contract to a prepaid debit card vendor, the
7 department shall consider at least two vendors in the State of Nebraska
8 for the procurement.

Senator M. Hansen filed the following amendment to LB919:
AM2565 is available in the Bill Room.

Senator M. Cavanaugh filed the following amendment to LB1015:
AM2577
(Amendments to AM2245)
1 1. On page 2, after line 15, insert the following new subsection:
2 "(6) (a) An individual listed in subdivision (b) of this subsection
3 shall not, directly or indirectly, hold a financial interest in any
4 entity which is party to a contract or have a financial interest in the
5 ownership or lease of any property relating to the development,
6 construction, management, or operation of the Perkins County Canal
7 Project.
8 (b) This subsection shall apply to:
9 (i) Any official in the executive branch as defined in section
10 49-1436. This subsection shall apply to such official while he or she is
11 in office and for ten years after he or she leaves office;
12 (ii) Any state employee; and
13 (iii) Any member of the Legislature.
14 (c) For purposes of this subsection, immediate family member means a
15 spouse, child, sibling, parent, grandparent, or grandchild and includes
16 the spouse of any child, sibling, parent, grandparent, or grandchild."

Senator M. Cavanaugh filed the following amendment to LB1023:
AM2573
(Amendments to AM2300)
1 1. On page 5, after line 27 insert the following new subsection:
2 "(9) (a) An individual listed in subdivision (9)(b) of this section
3 shall not have a financial interest, either personally or through an
4 immediate family member, in any purchase, sale, or lease of real property
5 relating to the construction or development of the lake or in any
6 contract entered into by the Department of Natural Resources relating to
7 the construction, development, or management of the lake.
8 (b) This subsection shall apply to:
9 (i) Any official in the executive branch as defined in section
10 49-1436. This subsection shall apply to such official while he or she is
11 in office and for ten years after he or she leaves office;
12 (ii) Any state employee; and
13 (iii) Any member of the Legislature.
14 (c) For purposes of this subsection, immediate family member means a
15 spouse, child, sibling, parent, grandparent, or grandchild and includes
16 the spouse of a child, sibling, parent, grandparent, or grandchild."
17.2. On page 8, after line 21 insert the following new subsection:
18 "(5)(a) An individual listed in subdivision (5)(b) of this section shall not have a financial interest, either personally or through an immediate family member, in any purchase, sale, or lease of real property relating to a project authorized in this section or in any contract entered into by the Game and Parks Commission relating to a project authorized in this section.
24 (b) This subsection shall apply to:
25 (i) Any official in the executive branch as defined in section 3-9-1436. This subsection shall apply to such official while he or she is in office and for ten years after he or she leaves office;
26 (ii) Any state employee; and
27 (iii) Any member of the Legislature.
4 (c) For purposes of this subsection, immediate family member means a spouse, child, sibling, parent, grandparent, or grandchild and includes the spouse of a child, sibling, parent, grandparent, or grandchild."

Senator Hunt filed the following amendment to LB933:
AM2567
2. Renumber the remaining sections and correct internal references accordingly.

Senator Hunt filed the following amendment to LB933:
AM2566
1. Insert the following new section:
2 Sec. 10. No provision of the Nebraska Human Life Protection Act shall apply to any health care consultation or procedure, including, but not limited to, abortion, or provision of an abortion-inducing drug, to a person whose pregnancy resulted from subjection to sex trafficking whether or not such sex trafficking was reported, investigated, or prosecuted.
3. On page 2, lines 4 and 6, strike "9" and insert "10".
9.3. Renumber the remaining sections accordingly.

Senator J. Cavanaugh filed the following amendment to LB1011:
FA146
Amend AM2110: Strike Section 2, renumber accordingly.

SELECT FILE

LEGISLATIVE BILL 1012. Senator Friesen renewed his amendment, AM2344, found on page 880 and considered in this day's Journal.
Senator Friesen withdrew his amendment.

Senator Friesen offered his amendment, AM2349, found on page 880.

Senator Bostelman offered the following amendment to the Friesen amendment:

FA149
To amend AM2349 to LB1012 by striking line 1 and inserting: on page 33, line 31 of AM2000, strike the word "annually".

Senator Stinner offered the following motion:

MO180
Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Stinner moved for a call of the house. The motion prevailed with 24 ayes, 4 nays, and 21 not voting.

Senator Stinner requested a roll call vote, in reverse order, on the motion to invoke cloture.

Voting in the affirmative, 43:

Aguilar  Cavanaugh, J.  Halloran  Linehan  Sanders
Albrecht  Cavanaugh, M.  Hansen, B.  Lowe  Slama
Arch  Clements  Hansen, M.  McCollister  Stinner
Blood  Day  Hilgers  McDonnell  Vargas
Bostar  DeBoer  Hillemann  McKinney  Walz
Bostelman  Dorn  Hunt  Morfeld  Williams
Brandt  Flood  Jacobson  Moser  Wishart
Brewer  Geist  Kolterman  Murman
Briese  Gragert  Lathrop  Pansing Brooks

Voting in the negative, 2:

Erdman  Friesen

Present and not voting, 1:

Hughes

Excused and not voting, 3:
The Stinner motion to invoke cloture prevailed with 43 ayes, 2 nays, 1 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

The Bostelman amendment was adopted with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

The Friesen amendment was adopted with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**AMENDMENT(S) - Print in Journal**

Senator M. Hansen filed the following amendment to LB919:

AM2549

(Amendments to Standing Committee amendments, AM2513)

1. Insert the following new section:

2. Sec. 8. Since an emergency exists, this act takes effect when passed

3. and approved according to law.

4. 2. On page 2, strike lines 9 through 21 and insert "For taxable

5. years beginning or deemed to begin on or after January 1, 2014, and

6. before January 1, 2023, the top rate shall be 6.84%. For taxable years

7. beginning or deemed to begin on or after January 1, 2023, the top rate

8. shall be determined on an annual basis as follows:

9. (a) On or before July 15, 2022, and on or before July 15 of each

10. year thereafter, the Tax Commissioner shall determine actual General Fund

11. net receipts for the most recently completed fiscal year minus actual

12. General Fund net receipts for the prior fiscal year;

13. (b) If the amount determined under subdivision (2)(a) of this

14. section is a positive number, the Tax Commissioner shall reduce the top

15. rate in effect on the date of such determination in accordance with the

16. schedule provided in subdivision (2)(c) of this section. Such reduced

17. rate shall apply to taxable years beginning or deemed to begin on or

18. after the immediately following January 1. If the amount determined under

19. subdivision (2)(a) of this section is a negative number, no reduction to

20. the top rate shall occur, and the top rate in effect on the date of such

21. determination shall remain in effect. In no case shall the top rate be

22. reduced to less than 5.84%; and

23. (c) The reductions to the top rate described in subdivision (2)(b)

24. of this section shall occur according to the following schedule:

25. (i) For the first time that the reduction occurs, the top rate shall

26. be reduced from 6.84% to 6.64%;

1 (ii) For the second time that the reduction occurs, the top rate

2 shall be reduced from 6.64% to 6.44%;

3 (iii) For the third time that the reduction occurs, the top rate

4 shall be reduced from 6.44% to 6.24%;

5 (iv) For the fourth time that the reduction occurs, the top rate

6 shall be reduced from 6.24% to 6.04%; and

7 (v) For the fifth time that the reduction occurs, the top rate shall

8 be reduced from 6.00% to 5.84%;

9.
Senator Hilkemann filed the following amendment to LB709:

AM2248

(Amendments to Standing Committee amendments, AM1936)

1 1. On page 12, line 31, after "Justice" insert ", a credential
2 issued by an occupational board under the Uniform Credentialing Act which
3 issues credentials based on reciprocity ".

Senator Brandt filed the following amendment to LB805:

AM2581

(Amendments to Standing Committee amendments, AM1976)

1 1. Insert the following new section:
2 Sec. 13. Section 54-1915.02, Reissue Revised Statutes of Nebraska,
3 is amended to read:
4 54-1915.02 (i) The Independent Processor Assistance Program is
5 created. The department shall administer the program contingent on funds
6 being made available for such purpose.
7 (2) The purpose of the Independent Processor Assistance Program is
8 to:
9 (a) Address supply chain disruptions caused by a public health
10 emergency;
11 (b) Increase and improve livestock slaughter and meat processing
12 capacity;
13 (c) Expand market access for small livestock producers; and
14 (d) Facilitate workforce development.
15 (3) In administering the Independent Processor Assistance Program,
16 the department may develop policies and procedures for the disbursement
17 of funds authorized by this section that include, at a minimum, the
18 following:
19 (a) Applicant eligibility standards. At a minimum, such standards
20 shall require that eligible applicants:
21 (i) Operate as a federally inspected, state-inspected, or custom-
22 exempt slaughter and processing facility domiciled in Nebraska;
23 (ii) Demonstrate existing sales revenue of less than two million
24 five hundred thousand dollars and employment of fewer than fifty full-
25 time equivalent twenty-five employees; and
26 (iii) Be registered in good standing with the Secretary of State to
1 do business in Nebraska; and
2 (b) Expense eligibility standards. At a minimum, such standards
3 shall include:
4 (i) Capital improvements to expand capacity, including expansion and
5 modifications to existing buildings or construction of new buildings at
6 existing facilities;
7 (ii) Upgrades to utilities, including water, electric, heat,
8 refrigeration, freezing, and waste facilities;
9 (iii) Livestock intake and storage equipment;
10 (iv) Processing and manufacturing equipment, including cutting
11 equipment, mixers, grinders, sausage stuffers, smokers, curing equipment,
12 pipes, motors, pumps, and valves;
13 (v) Packaging and handling equipment, including sealing, bagging,
14 boxing, labeling, conveying, and product-moving equipment;
15 (vi) Warehouse equipment, including storage and curing racks;
16 (vii) Waste treatment and management equipment, including tanks,
17 blowers, separators, dryers, digesters, and equipment that uses waste to
18 produce energy, fuel, or industrial products;
19 (viii) Technology that allows increased capacity or business
20 resilience, including software and hardware related to business
21 functions, logistics, inventory management, plant production controls,
22 temperature monitoring controls, and website design that enables e-
23 commerce;
24 (ix) Rental of buildings, facilities, or equipment necessary to
25 expand capacity, including mobile slaughter units and mobile
26 refrigeration units used exclusively for meat or poultry processing;
27 (x) Costs associated with increased inspections or becoming
28 inspected, including overtime inspection services by the Food Safety and
29 Inspection Service of the United States Department of Agriculture and
30 hazard analysis and critical control point consultation services; and
31 (xi) Educational and workforce training provided either by the
1 facility or by an institution of higher education.
2 (4) The department may adopt and promulgate rules and regulations to
3 carry out the purposes of the Independent Processor Assistance Program.
4 2. Renumber the remaining sections and correct the repealer
5 accordingly.

Senator McDonnell filed the following amendment to LB1012:
AM2510 (Amendments to Standing Committee amendments, AM2000)
1 1. Insert the following new section:
2 Sec. 11. There is hereby created the Ernie Chambers History-Arts-
3 Humanities Museum Assistance Fund. The fund shall be used to contribute
4 to the construction of the Ernie Chambers History-Arts-Humanities Museum
5 to honor the legacy of Nebraska's longest-serving state senator and to
6 educate the public on the legacy of the unique Nebraska Unicameral
Legislature and the contributions made to the Legislature by Senator
7 Chambers. The Nebraska State Historical Society shall administer the fund
9 and may spend up to ten percent of the money available in the fund for
10 administration of the fund. The fund shall consist of transfers
11 authorized by the Legislature and money from any federal and state
12 sources. Any money in the fund available for investment shall be invested
13 by the state investment officer pursuant to the Nebraska Capital
14 Expansion Act and the Nebraska State Funds Investment Act.
15 2. Renumber the remaining sections accordingly.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 359. Introduced by Walz, 15.

PURPOSE: The purpose of this resolution is to propose an interim study to
examine whether section 79-458, which authorizes certain property holders
to attach their property to a different school district through a freeholder
petition, should be updated or eliminated. In order to carry out the purpose
of this resolution, the committee should seek the assistance of the Nebraska
Department of Education and Nebraska Department of Revenue and should
consider the input of county officials, school districts, and interested persons
as the committee deems necessary and appropriate. The issues addressed by
this interim study shall include, but are not limited to:
(1) A review of the applicable laws, regulations, policies, and exceptions
regarding the transfer of property through freeholder petitions from one
school district to another; and
(2) Whether property should automatically be returned to the original
district when property ownership changes.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE
ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND
SESSION:
1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 1014. Placed on Select File with amendment. ER155 is available in the Bill Room.

SELECT FILE

LEGISLATIVE BILL 1013. Senator Lathrop offered his amendment, AM2252, found on page 787.

Senator Lathrop offered his amendment, AM2256, found on page 787, to AM2252.

SENATOR HUGHES PRESIDING

SENATOR WILLIAMS PRESIDING

SENATOR ARCH PRESIDING

Senator M. Cavanaugh offered the following motion: MO181
Bracket until April 5, 2022.

SENATOR WILLIAMS PRESIDING

Senator M. Cavanaugh withdrew her motion to bracket.

Senator Stinner offered the following motion: MO182
Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Stinner moved for a call of the house. The motion prevailed with 31 ayes, 5 nays, and 13 not voting.

The Stinner motion to invoke cloture prevailed with 41 ayes, 3 nays, 1 present and not voting, and 4 excused and not voting.

The Lathrop amendment, AM2256, lost with 0 ayes, 41 nays, 4 present and not voting, and 4 excused and not voting.
The Lathrop amendment, AM2252, lost with 0 ayes, 41 nays, 4 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 360.** Introduced by Day, 49.

PURPOSE: The purpose of this resolution is to propose an interim study to examine eligibility, enrollment, application, renewal, and redetermination practices for the medical assistance program and the Children's Health Insurance Program (CHIP) under the Department of Health and Human Services. The medical assistance program and CHIP currently provide health care coverage to hundreds of thousands of Nebraskans and play an important role in keeping our state healthy. However, eligible Nebraskans still face burdens when trying to access coverage. Reviewing the Department of Health and Human Services' current practices and recent program developments will help identify key opportunities for Nebraska.

This study shall examine eligibility, enrollment, application, renewal, and redetermination practices for the medical assistance program and CHIP and how these practices can be improved. This study shall include, but not be limited to:

1. Data collection and information gathering regarding:
   - Eligibility, enrollment, application, renewal, and redetermination policies and practices for the medical assistance program and CHIP;
   - The administration and performance of the iServe Nebraska application portal expected to be launched in April 2022; and
   - Data sharing policies and practices across the medical assistance program, CHIP, and other Department of Health and Human Services programs; and
2. A determination of potential solutions to improve eligibility, enrollment, application, renewal, and redetermination practices for the medical assistance program and CHIP.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 361.** Introduced by Bostar, 29.
PURPOSE: The purpose of this resolution is to propose an interim study to examine insurance coverage for lung cancer screenings and make recommendations that will improve the availability of such screenings to Nebraskans. The study shall include, but not be limited to, an examination of:

1. Medicare policies regarding lung cancer screenings, including the recent change which reduces the starting age of eligibility for lung cancer screenings from age fifty-five to age fifty;
2. Recent published academic research demonstrating decreased lung cancer mortality with early detection;
3. Current Nebraska laws and rules and regulations that require insurance coverage of screenings of all types; and
4. Other state laws and rules and regulations that require insurance coverage of screenings of all types.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Banking, Commerce and Insurance Committee of the Legislature shall be designated to conduct an interim study to carry out the purpose of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

VISITOR(S)

Visitors to the Chamber were members of the Nebraska Public Power District; fourth-grade students from Immanuel Lutheran, Columbus; fourth-grade students from Aurora Public Schools, Aurora; fifth- and sixth-grade students from Pender Public Schools, Pender; fourth-grade students from Waverly Intermediate, Waverly; Leadership Tomorrow, Grand Island; Leadership Class of Washington County, Blair; and Senator Pansing Brooks' husband Loel Brooks, her daughter Avary Pansing Brooks, and her son Graham Pansing Brooks.

The Doctor of the Day was Dr. John Jacobsen of Kearney.

ADJOURNMENT

At 10:36 p.m., on a motion by Senator Brewer, the Legislature adjourned until 9:00 a.m., Friday, March 25, 2022.

Patrick J. O'Donnell
Clerk of the Legislature