

**THIRTY-NINTH DAY - MARCH 9, 2021**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION**

**THIRTY-NINTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, March 9, 2021

**PRAYER**

The prayer was offered by Senator DeBoer.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Arch.

**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 Brewer who was excused; and Senators Bostar, Vargas, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the thirty-eighth day was approved.

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 4.** Placed on Final Reading.  
**LEGISLATIVE BILL 21.** Placed on Final Reading.  
**LEGISLATIVE BILL 23.** Placed on Final Reading.  
**LEGISLATIVE BILL 25.** Placed on Final Reading.  
**LEGISLATIVE BILL 44.** Placed on Final Reading.  
**LEGISLATIVE BILL 77.** Placed on Final Reading.  
**LEGISLATIVE BILL 149.** Placed on Final Reading.  
**LEGISLATIVE BILL 159.** Placed on Final Reading.  
**LEGISLATIVE BILL 174.** Placed on Final Reading.  
**LEGISLATIVE BILL 248.** Placed on Final Reading.  
**LEGISLATIVE BILL 253.** Placed on Final Reading.

**LEGISLATIVE BILL 302.** Placed on Final Reading.  
**LEGISLATIVE BILL 363.** Placed on Final Reading.  
**LEGISLATIVE BILL 373.** Placed on Final Reading.  
**LEGISLATIVE BILL 532.** Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

**COMMITTEE REPORT(S)**  
 Enrollment and Review

**LEGISLATIVE BILL 509.** Placed on Select File.  
**LEGISLATIVE BILL 510.** Placed on Select File.  
**LEGISLATIVE BILL 337.** Placed on Select File.  
**LEGISLATIVE BILL 35.** Placed on Select File.  
**LEGISLATIVE BILL 93.** Placed on Select File.

**LEGISLATIVE BILL 94.** Placed on Select File with amendment.

[ER17](#)

1 1. On page 1, line 4, after "20-13" insert "and certain written  
 2 instruments for the conveyance or encumbrance of real estate".

(Signed) Terrell McKinney, Chairperson

**COMMITTEE REPORT(S)**  
 Health and Human Services

**LEGISLATIVE BILL 19.** Placed on General File.  
**LEGISLATIVE BILL 108.** Placed on General File.  
**LEGISLATIVE BILL 121.** Placed on General File.  
**LEGISLATIVE BILL 306.** Placed on General File.  
**LEGISLATIVE BILL 570.** Placed on General File.

**LEGISLATIVE BILL 592.** Placed on General File with amendment.

[AM237](#)

1 1. On page 4, line 12, after the period insert "Emergency doses may  
 2 not be taken from an automated medication system prior to review by a  
 3 pharmacist for residents of an assisted-living facility co-located with a  
 4 long-term care facility."; and in line 28 after "pharmacy" insert "and  
 5 for any medication dispensed for a resident of an assisted-living  
 6 facility co-located with a long-term care facility".

(Signed) John Arch, Chairperson

**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.

Mark R. Patefield - State Board of Health

Aye: 6. Arch, Day, Hansen, B., Murman, Walz, Williams. Nay: 0. Absent: 0.  
Present and not voting: 1. Cavanaugh, M.

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.

Timothy A. Tesmer - State Board of Health

Aye: 6. Arch, Day, Hansen, B., Murman, Walz, Williams. Nay: 0. Absent: 0.  
Present and not voting: 1. Cavanaugh, M.

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.

Russell Crotty - State Board of Health

Aye: 6. Arch, Day, Hansen, B., Murman, Walz, Williams. Nay: 0. Absent: 0.  
Present and not voting: 1. Cavanaugh, M.

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 Kotopka - State Board of Health

Aye: 6. Arch, Day, Hansen, B., Murman, Walz, Williams. Nay: 0. Absent: 0.  
Present and not voting: 1. Cavanaugh, M.

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.

Dan Vehle - State Board of Health

Aye: 6. Arch, Day, Hansen, B., Murman, Walz, Williams. Nay: 0. Absent: 0.  
Present and not voting: 1. Cavanaugh, M.

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.

Anthony (Tony) R. Green Director - Division of Developmental Disabilities-Health and Human Services

Aye: 7. Arch, Cavanaugh, M., Day, Hansen, B., Murman, Walz, Williams.  
 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.

Kevin Bagley Director - Division of Medicaid and Long Term Care-Department of Health and Human Services

Aye: 7. Arch, Cavanaugh, M., Day, Hansen, B., Murman, Walz, Williams.  
 Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) John Arch, Chairperson

#### **ANNOUNCEMENT(S)**

Priority designation(s) received:

Aguilar - LB371  
 Hunt - LB260  
 Natural Resources - LB507  
 Walz - LB542  
 Flood - LB649

#### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 55.** Introduced by McKinney, 11.

WHEREAS, Blackburn Alternative High School received a 2021 NebraskARTS Award presented by Nebraskans for the Arts; and

WHEREAS, Nebraskans for the Arts annually recognizes select schools and school districts that make notable and worthwhile contributions to the arts and arts education in Nebraska; and

WHEREAS, Blackburn Alternative High School demonstrates high educational standards and provides all students the opportunity to learn through the arts; and

WHEREAS, Blackburn Alternative High School provides numerous opportunities for students to improve their craft and share their talents and hard work with 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, FIRST SESSION:

1. That the Legislature congratulates Blackburn Alternative High School for receiving a 2021 NebraskARTS Award.
2. That a copy of this resolution be sent to Blackburn Alternative High School.

Laid over.

### GENERAL FILE

**LEGISLATIVE BILL 14.** Title read. Considered.

Committee [AM1](#), found on page 441, was offered.

The committee 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 43 ayes, 0 nays, 1 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 400.** Title read. Considered.

Committee [AM200](#), found on page 442, was offered.

The committee amendment 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 46 ayes, 0 nays, 1 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 389.** Title read. Considered.

Advanced to Enrollment and Review Initial with 46 ayes, 0 nays, 1 present and not voting, and 2 excused and not voting.

### AMENDMENT(S) - Print in Journal

Senator Hunt filed the following amendment to [LB250](#):

[AM471](#)

(Amendments to Standing Committee amendments, AM232)

1 1. On page 34, line 16, after the period insert "A registered  
2 interior designer may only serve as the coordinating professional for a  
3 project within the scope of practice of interior design as defined in  
4 section 28 of this act.".

Senator Hunt filed the following amendment to [LB183](#):

[AM491](#)

(Amendments to AM163)

1 1. On page 1, line 9, after "(3)" insert "Drug that prevents  
2 pregnancy after sexual intercourse means a federal Food and Drug  
3 Administration-approved medication administered after sexual intercourse  
4 that prevents pregnancy but which does not disrupt an existing pregnancy;  
5 (4)"; and strike lines 12 through 14.  
6 2. On page 2, lines 6 and 7 and 18; and page 6, line 11, strike  
7 "emergency contraception" and insert "drugs that prevent pregnancy after  
8 sexual intercourse".  
9 3. On page 2, lines 10 and 11; and page 6, line 12, strike

10 "emergency contraception" and insert "a drug that prevents pregnancy  
11 after sexual intercourse".

Senator Albrecht filed the following amendment to LB113:  
AM468

1 1. On page 4, line 7; page 5, line 28; page 7, line 29; page 11,  
2 line 8; page 13, line 23; page 16, line 17; page 28, line 2; page 30,  
3 line 12; page 32, line 28; page 35, line 6; page 37, line 26; page 40,  
4 line 15; page 43, line 9; page 45, line 28; page 48, line 1; page 50,  
5 line 16; page 53, line 1; page 55, line 16; and page 58, line 3, after  
6 the underscored period insert "The department shall remit the fee to the  
7 State Treasurer for credit to the Department of Motor Vehicles Cash  
8 Fund".  
9 2. On page 24, line 30; page 25, line 19; and page 26, line 9,  
10 strike "Motor Vehicle", show as stricken, and insert "Highway".  
11 3. On page 25, lines 6 and 14, strike "Motor Vehicle" and insert  
12 "Highway".

Senator Linehan filed the following amendment to LB181:  
AM501

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Section 77-6703, Revised Statutes Cumulative Supplement,  
4 2020, is 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)(i)(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 three hundred  
17 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~~ shall 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  
1 section and for allocating the school district taxes paid. For taxable  
2 years beginning or deemed to begin on or after January 1, 2021, under the  
3 Internal Revenue Code of 1986, as amended, the refundable credit shall be  
4 claimed by the corporation having an election in effect under subchapter  
5 S of the Internal Revenue Code, the partnership, the limited liability  
6 company, the trust, or the estate that paid the school district taxes.

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

12 (5) For the first taxable year beginning or deemed to begin on or  
13 after January 1, 2021, and before January 1, 2022, under the Internal  
14 Revenue Code of 1986, as amended, for a corporation having an election in  
15 effect under subchapter S of the Internal Revenue Code, a partnership, a  
16 limited liability company, a trust, or an estate that paid school  
17 district taxes in calendar year 2020 but did not claim the credit  
18 directly or allocate such school district taxes to the shareholders,  
19 partners, members, or beneficiaries as permitted under subsection (3) of  
20 this section, there shall be allowed an additional refundable credit.  
21 This credit shall be equal to six percent, multiplied by the amount of  
22 school district taxes paid during 2020 by the eligible taxpayer.

23 Sec. 2. This act becomes operative for all taxable years beginning  
24 or deemed to begin on or after January 1, 2020, under the Internal  
25 Revenue Code of 1986, as amended.

26 Sec. 3. Original section 77-6703, Revised Statutes Cumulative  
27 Supplement, 2020, is repealed.

28 Sec. 4. Since an emergency exists, this act takes effect when passed  
29 and approved according to law.

Senator Geist filed the following amendment to [LB500](#):  
[AM528](#)

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

3 Section 1. Section 29-1301, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 29-1301 All criminal cases shall be tried in the county where the  
6 offense was committed, except as otherwise provided in section 25-412.03  
7 or sections 29-1301.01 to 29-1301.03 and section 2 of this act, or unless  
8 it shall appear to the court by affidavits that a fair and impartial  
9 trial cannot be had therein. In such case the court, upon motion of the

10 defendant, shall transfer the proceeding to any other district or county  
 11 in the state as determined by the court.  
 12 Sec. 2. (1) If a person uses an electronic communication device to  
 13 commit any element of an offense, such person may be tried in the county  
 14 where the electronic communication was initiated or where the electronic  
 15 communication was received.  
 16 (2) For purposes of this section:  
 17 (a) Electronic communication has the same meaning as in section  
 18 28-1310; and  
 19 (b) Electronic communication device has the same meaning as in  
 20 section 28-833.  
 21 Sec. 3. Original section 29-1301, Reissue Revised Statutes of  
 22 Nebraska, is repealed.

**COMMITTEE REPORT(S)**  
 Education

**LEGISLATIVE BILL 527.** Placed on General File.

**LEGISLATIVE BILL 322.** Placed on General File with amendment.

AM464

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  
 4 cited as the School Safety and Security Reporting System Act.  
 5 Sec. 2. For purposes of the School Safety and Security Reporting  
 6 System Act:  
 7 (1) Concerning behavior includes, but is not limited to, suicide,  
 8 bullying, stalking behavior, cyber or electronic harassment, bomb threat,  
 9 family violence, physical or sexual abuse, threat to property, behavior  
 10 indicative of terrorism, assault or attack, inappropriate weapons use,  
 11 concern about mental health or substance use, sexual exploitation or  
 12 predation, and any direct or indirect threatening statement;  
 13 (2) Department means the State Department of Education or the state  
 14 school security director;  
 15 (3) Mental health professional means a school psychologist, social  
 16 worker, or licensed mental health professional;  
 17 (4) Report line staff means the staff of the Safe2HelpNE report line  
 18 as provided in subsection (4) of section 3 of this act;  
 19 (5) Safe2HelpNE report line means the reporting system established  
 20 pursuant to section 3 of this act;  
 21 (6) Threat assessment means an evidence-based process to reduce  
 22 potential risks and incidents of violence resulting in harm to one or  
 23 more persons or school property; and  
 24 (7) Threat assessment team means a school-based team of at least  
 25 five members who have completed the training required pursuant to section  
 26 4 of this act and includes, but is not limited to, the principal or  
 27 principal's designee, a mental health professional, and a member of the  
 1 school staff.  
 2 Sec. 3. (1) The department shall establish the Safe2HelpNE report  
 3 line as a statewide, anonymous reporting system to support threat  
 4 assessment teams and reduce potential risks and incidents of violence  
 5 resulting in harm to self, others, or school property.  
 6 (2) The Safe2HelpNE report line shall be multi-modal to allow  
 7 students, school staff, parents, and community members to anonymously  
 8 report concerns and information about concerning behavior or possible  
 9 harm to persons or property by telephone call, mobile application, web  
 10 site, or email without charge. The Safe2HelpNE report line shall be  
 11 available to any public or nonpublic school that has a threat assessment



12 team and that maintains a current list of the contact information for at  
13 least five team members designated to receive alerts from staff at any  
14 time of the day or night.  
15 (3) Except as otherwise required by law, the identity of any  
16 individual who contacts the Safe2HelpNE report line shall be confidential  
17 and shall not be revealed.  
18 (4) The Safe2HelpNE report line shall be staffed seven days per week  
19 and twenty-four hours per day by professionals trained to receive  
20 concerns, use de-escalation techniques to minimize law enforcement  
21 involvement, and alert the appropriate threat assessment team for review,  
22 assessment, and action to protect persons and property. The report line  
23 staff shall also be trained in threat assessment and management  
24 processes, suicide prevention, recognizing mental illness and emotional  
25 disturbance, and applicable confidentiality and privacy laws. The report  
26 line staff shall have access to clinical consultation and support seven  
27 days per week and twenty-four hours per day from a licensed mental health  
28 professional.  
29 (5) The report line staff shall immediately alert the appropriate  
30 threat assessment team of any concern directly regarding a student,  
31 school staff member, or school property or that is likely to impact a  
1 student, school staff member, or school property. If there is an  
2 immediate life safety concern, emergency services shall be contacted  
3 prior to any threat assessment team. Each alert shall be assessed by the  
4 threat assessment team receiving such alert.  
5 (6) The department shall track and evaluate the effectiveness and  
6 usage of the Safe2HelpNE report line. The report line staff shall report  
7 the number of calls received, disposition of calls, referrals made to  
8 threat assessment teams, and other metrics as determined by and in the  
9 manner prescribed by the department.  
10 (7) Any information or material in the possession of the threat  
11 assessment team shall remain separate from educational records and shall  
12 be considered security records.  
13 Sec. 4. The department shall provide training for the members of  
14 any threat assessment team serving a public or nonpublic school. Such  
15 training shall provide the knowledge and skill to allow threat assessment  
16 teams to work collaboratively to conduct threat assessments, engage in  
17 crisis intervention, increase awareness of concerning behavior among  
18 school staff, students, and the public, and interrupt violence in the  
19 planning stage to thwart potential harm to persons and property.  
20 Sec. 5. It is the intent of the Legislature to appropriate money  
21 from the General Fund for the Safe2HelpNE report line for ten years. At  
22 the end of the ten years, the department shall electronically report  
23 cost-benefit data and recommendations regarding the continued viability  
24 of the Safe2HelpNE report line to the Education Committee of the  
25 Legislature.  
26 Sec. 6. The department may adopt and promulgate rules and  
27 regulations to carry out the School Safety and Security Reporting System  
28 Act.  
29 Sec. 7. Section 79-2,144, Revised Statutes Cumulative Supplement,  
30 2020, is amended to read:  
31 79-2,144 The state school security director appointed pursuant to  
1 section 79-2,143 shall be responsible for providing leadership and  
2 support for safety and security for the public schools. Duties of the  
3 director include, but are not limited to:  
4 (1) Collecting safety and security plans, required pursuant to rules  
5 and regulations of the State Department of Education relating to  
6 accreditation of schools, and other school security information from each  
7 school system in Nebraska. School districts shall provide the state  
8 school security director with the safety and security plans of the school  
9 district and any other security information requested by the director,

10 but any plans or information submitted by a school district may be  
 11 withheld by the department pursuant to subdivision (8) of section  
 12 84-712.05;  
 13 (2) Recommending minimum standards for school security on or before  
 14 January 1, 2016, to the State Board of Education;  
 15 (3) Conducting an assessment of the security of each public school  
 16 building, which assessment shall be completed by August 31, 2019;  
 17 (4) Identifying deficiencies in school security based on the minimum  
 18 standards adopted by the State Board of Education and making  
 19 recommendations to school boards for remedying such deficiencies;  
 20 (5) Establishing security awareness and preparedness tools and  
 21 training programs for public school staff;  
 22 (6) Establishing research-based model instructional programs for  
 23 staff, students, and parents to address the underlying causes for violent  
 24 attacks on schools;  
 25 (7) Overseeing suicide awareness and prevention training in public  
 26 schools pursuant to section 79-2,146;  
 27 (8) Establishing tornado preparedness standards which shall include,  
 28 but not be limited to, ensuring that every school conducts at least two  
 29 tornado drills per year;  
 30 (9) Responding to inquiries and requests for assistance relating to  
 31 school security from private, denominational, and parochial schools; ~~and~~  
 1 (10) Recommending curricular and extracurricular materials to assist  
 2 school districts in preventing and responding to cyberbullying and  
 3 digital citizenship issues; ~~and~~ -  
 4 (11) Carrying out the department's responsibilities under the School  
 5 Safety and Security Reporting System Act.  
 6 Sec. 8. This act becomes operative on July 1, 2021.  
 7 Sec. 9. Original section 79-2,144, Revised Statutes Cumulative  
 8 Supplement, 2020, is repealed.  
 9 Sec. 10. Since an emergency exists, this act takes effect when  
 10 passed and approved according to law.

**LEGISLATIVE BILL 359.** Placed on General File with amendment.

AM400

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Section 79-719, Reissue Revised Statutes of Nebraska, is  
 4 amended to read:  
 5 79-719 For purposes of sections 79-719 to 79-723, multicultural  
 6 education includes and reflects the diverse races and cultures of all  
 7 persons in Nebraska and the United States of America and incorporates the  
 8 histories, perspectives, ,but is not limited to, studies relative to the  
 9 culture, history, and contributions of African Americans, Hispanic  
 10 Americans, Native Americans, and Asian Americans. Special emphasis shall  
 11 be placed on human relations and sensitivity toward all races,  
 12 ethnicities, and cultures.  
 13 Sec. 2. Section 79-720, Reissue Revised Statutes of Nebraska, is  
 14 amended to read:  
 15 79-720 (1) Each school district, in consultation with the  
 16 Commissioner State Department of Education, shall incorporate  
 17 multicultural education into the elementary, middle, and secondary  
 18 instructional programs provided to students. Beginning with school year  
 19 2023-24, all approved or accredited private, denominational, and  
 20 parochial schools shall incorporate multicultural education into  
 21 elementary, middle, and secondary instructional programs provided to  
 22 students shall develop for incorporation into all phases of the  
 23 curriculum of grades kindergarten through twelve a multicultural  
 24 education program.  
 25 (2) The department shall (a) employ a full-time consultant trained

26 ~~and experienced in the field of multicultural education and (b) create~~  
 27 ~~and distribute recommended multicultural education curriculum guidelines~~  
 1 ~~to all schools school districts. Each district shall create its own~~  
 2 ~~multicultural education program based on such recommended guidelines.~~  
 3 (3) ~~The incorporation of the multicultural education program into~~  
 4 ~~the elementary, middle, and secondary instructional programs of each~~  
 5 ~~school curriculum of each district shall not change (a) the number of~~  
 6 ~~instructional hours prescribed for elementary and high school students~~  
 7 ~~under section 79-211 or (b) the number of instructional hours dedicated~~  
 8 ~~to the existing curriculum of each district.~~  
 9 Sec. 3. Section 79-721, Reissue Revised Statutes of Nebraska, is  
 10 amended to read:  
 11 79-721 ~~(4) Each school district and each approved or accredited~~  
 12 ~~private, denominational, and parochial school shall present evidence, as~~  
 13 ~~annually, in a form prescribed by the Commissioner State Department of~~  
 14 ~~Education, to the department that multicultural education is included in~~  
 15 ~~the elementary, middle, and secondary instructional programs provided~~  
 16 ~~being taught to students pursuant to section 79-720. The department shall~~  
 17 ~~evaluate the effectiveness of the multicultural education program and~~  
 18 ~~establish reasonable timelines for the submission of such evidence.~~  
 19 ~~(2) A school district which fails to provide or fails to provide~~  
 20 ~~evidence annually of multicultural education pursuant to such section~~  
 21 ~~shall lose its accreditation status.~~  
 22 Sec. 4. Section 79-722, Reissue Revised Statutes of Nebraska, is  
 23 amended to read:  
 24 79-722 ~~In conjunction with the multicultural education as program~~  
 25 ~~prescribed in section 79-720, the Commissioner State Department of~~  
 26 ~~Education shall design a process for evaluating such the implementation~~  
 27 ~~and effectiveness of each multicultural education. Such process program,~~  
 28 ~~including the collection of baseline data. The collection of baseline~~  
 29 ~~data for evaluating the implementation and effectiveness of each~~  
 30 ~~multicultural education program shall not include the testing,~~  
 31 ~~assessment, or evaluation of individual students' attitudes or beliefs.~~  
 1 ~~An evaluation of the implementation and effectiveness of each~~  
 2 ~~multicultural education program shall be conducted every five school~~  
 3 ~~years. On or before November 1, 2013, and on or before November 1 every~~  
 4 ~~five years thereafter, the commissioner department shall report the~~  
 5 ~~results of each evaluation of multicultural education to the Clerk of the~~  
 6 ~~Legislature, the Education Committee of the Legislature, and the State~~  
 7 ~~Board of Education and publish such report on a web site established by~~  
 8 ~~the department. The report submitted to the Clerk of the Legislature and~~  
 9 ~~the committee shall be submitted electronically.~~  
 10 Sec. 5. Section 79-723, Reissue Revised Statutes of Nebraska, is  
 11 amended to read:  
 12 79-723 ~~The State Board Department of Education may shall adopt and~~  
 13 ~~promulgate rules and regulations to carry out sections 79-719 to 79-722.~~  
 14 Sec. 6. Original sections 79-719, 79-720, 79-721, 79-722, and  
 15 79-723, Reissue Revised Statutes of Nebraska, are repealed.

(Signed) Lynne Walz, Chairperson

**COMMITTEE REPORT(S)**  
 General Affairs

**LEGISLATIVE BILL 561.** Placed on General File with amendment.  
[AM426](#) is available in the Bill Room.

(Signed) Tom Briese, Chairperson

**ANNOUNCEMENT(S)**

Priority designation(s) received:

Geist - LB408

**BILL ON FIRST READING**

The following bill was read for the first time by title:

**LEGISLATIVE BILL 243A.** 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 243, One Hundred Seventh Legislature, First Session, 2021.

**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.

Robert (Bud) Synhorst - State Board of Health

Aye: 6. Arch, Day, Hansen, B., Murman, Walz, Williams. Nay: 1. Cavanaugh, M. Absent: 0. Present and not voting: 0.

(Signed) John Arch, Chairperson

**COMMITTEE 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.

Duane L. Kime - Board of Educational Lands and Funds

Aye: 5. Day, Linehan, Murman, Sanders, Walz. Nay: 0. Absent: 0. Present and not voting: 3. McKinney, Morfeld, Pansing Brooks.

(Signed) Lynne Walz, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 274.** Title read. Considered.

Committee [AM427](#), found on page 530, was offered.

### SENATOR WILLIAMS PRESIDING

Senator Wishart offered the following amendment to the committee amendment:

#### [AM475](#)

(Amendments to Standing Committee amendments, AM427)

- 1 1. Strike section 1 and insert the following new sections:
- 2 Section 1. Section 53-101, Revised Statutes Cumulative Supplement,
- 3 2020, is amended to read:
- 4 53-101 Sections 53-101 to 53-1,122 and sections 3 to 6, 12, 13, and
- 5 18 of this act shall be known and may be cited as the Nebraska Liquor
- 6 Control Act.
- 7 Sec. 17. Section 53-178.01, Reissue Revised Statutes of Nebraska, is
- 8 amended to read:
- 9 53-178.01 No licensee shall sell alcoholic liquor, including beer,
- 10 to any person for consumption off the licensed premises while such person
- 11 is in any manner within any motor vehicle unless the licensee has been
- 12 issued a motor vehicle sale endorsement as provided in section 18 of this
- 13 act. This section shall not apply to sales to handicapped persons in a
- 14 motor vehicle displaying a current handicapped license plate issued by
- 15 the Department of Motor Vehicles.
- 16 Sec. 18. (1) The holder of a retail license to sell alcoholic
- 17 liquor for consumption off the premises may obtain a motor vehicle sale
- 18 endorsement for such license to allow for the sale of alcoholic liquor,
- 19 including beer, to a person who is twenty-one years of age or older
- 20 within a motor vehicle as prescribed in this section.
- 21 (2) A licensee desiring to obtain a motor vehicle sale endorsement
- 22 shall file with the commission an application upon such forms as the
- 23 commission prescribes and a fee of fifty dollars payable to the
- 24 commission. The commission shall issue a motor vehicle sale endorsement
- 25 in the same manner as the licensee's retail license in accordance with
- 26 section 53-131. A motor vehicle sale endorsement may be issued for the
- 1 same period and may be renewed in the same manner as the licensee's
- 2 retail license.
- 3 (3) The holder of a motor vehicle sale endorsement may sell
- 4 alcoholic liquor, including beer, in its original package, to a person
- 5 within a motor vehicle, using a drive-through window or curbside pickup,
- 6 if:
- 7 (a) The sale occurs on the licensed premises of the licensee during
- 8 the hours the licensee is authorized to sell the alcoholic liquor or
- 9 beer; and
- 10 (b) The individual purchasing the alcoholic liquor or beer is
- 11 twenty-one years of age or older.
- 12 2. Renumber the remaining sections, correct internal references, and
- 13 correct the repealer accordingly.

Senator Wishart withdrew her amendment.

Senator J. Cavanaugh offered the following amendment to the committee amendment:

#### [AM479](#)

(Amendments to Standing Committee amendments, AM427)

- 1 1. Strike sections 1, 8, 9, and 14 and insert the following new
- 2 sections:
- 3 Section 1. Section 53-101, Revised Statutes Cumulative Supplement,

4 2020, is amended to read:

5 53-101 Sections 53-101 to 53-1,122 and sections 3 to 6, 11, 12, and  
6 14 of this act shall be known and may be cited as the Nebraska Liquor  
7 Control Act.

8 Sec. 8. Section 53-123.11, Revised Statutes Cumulative Supplement,  
9 2020, is amended to read:

10 53-123.11 (1) A farm winery license shall entitle the holder to:

11 (a) Sell wines produced at the farm winery onsite at wholesale and  
12 retail and to sell wines produced at the farm winery at off-premises  
13 sites holding the appropriate retail license;

14 (b) Sell wines produced at the farm winery at retail for consumption  
15 on the premises as designated pursuant to section 53-123.12;

16 (c) Permit a customer to remove one unsealed bottle of wine for  
17 consumption off the premises. The licensee or his or her agent shall (i)  
18 securely reseal such bottle and place the bottle in a bag designed so  
19 that it is visibly apparent that the resealed bottle of wine has not been  
20 opened or tampered with and (ii) provide a dated receipt to the customer  
21 and attach to such bag a copy of the dated receipt for the resealed  
22 bottle of wine. If the resealed bottle of wine is transported in a motor  
23 vehicle, it must be placed in the trunk of the motor vehicle or the area  
24 behind the last upright seat of such motor vehicle if the area is not  
25 normally occupied by the driver or a passenger and the motor vehicle is  
26 not equipped with a trunk;

1 (d) Ship wines produced at the farm winery by common carrier and  
2 sold at retail to recipients in and outside the State of Nebraska, if the  
3 output of such farm winery for each calendar year as reported to the  
4 commission by December 31 of each year does not exceed thirty thousand  
5 gallons. In the event such amount exceeds thirty thousand gallons, the  
6 farm winery shall be required to use a licensed wholesaler to distribute  
7 its wines for the following calendar year, except that this requirement  
8 shall not apply to wines produced and sold onsite at the farm winery  
9 pursuant to subdivision (1)(a) of this section;

10 (e) Allow sampling and sale of the wine at the farm winery and at  
11 four branch outlets in the state in reasonable amounts;

12 (f) Sell wines produced at the farm winery to other Nebraska farm  
13 winery licensees, in bulk, bottled, labeled, or unlabeled, in accordance  
14 with 27 C.F.R. 24.308, 27 C.F.R. 24.309, and 27 C.F.R. 24.314, as such  
15 regulations existed on January 1, 2008;

16 (g) Purchase distilled spirits from licensed microdistilleries in  
17 Nebraska, in bulk or bottled, made entirely from Nebraska-licensed farm  
18 winery wine to be used in the production of fortified wine at the  
19 purchasing licensed farm winery; ~~and~~

20 (h) Store and warehouse products produced at the farm winery in a  
21 designated, secure, offsite storage facility if the holder of the farm  
22 winery license notifies the commission of the location of the facility  
23 and maintains, at the farm winery and at the facility, a separate  
24 perpetual inventory of the product stored at the facility. Consumption of  
25 alcoholic liquor at the facility is strictly prohibited; ~~and -~~

26 (i) Subject to section 14 of this act, sell alcoholic liquor  
27 authorized under a farm winery license not in its original package, such  
28 as sangria or wine slushies, to a person twenty-one years of age or older  
29 for consumption off the premises.

30 (2) No farm winery shall manufacture wine in excess of fifty  
31 thousand gallons per year.

1 (3) A farm winery may manufacture and sell hard cider on its  
2 licensed premises. A farm winery shall not otherwise distribute the hard  
3 cider it manufactures except by sale to a wholesaler licensed under the  
4 Nebraska Liquor Control Act.

5 (4) A holder of a farm winery license may obtain a special  
6 designated license pursuant to section 53-124.11.

7 (5) A holder of a farm winery license may obtain an annual catering  
8 license pursuant to section 53-124.12.  
9 (6) A holder of a farm winery license may obtain a promotional  
10 farmers market special designated license pursuant to section 11 of this  
11 act.  
12 Sec. 13. Section 53-124, Revised Statutes Cumulative Supplement,  
13 2020, is amended to read:  
14 53-124 (1) At the time application is made to the commission for a  
15 license of any type, the applicant shall pay the fee provided in section  
16 53-124.01 and, if the applicant is an individual, provide the applicant's  
17 social security number. The commission shall issue the types of licenses  
18 described in this section.  
19 (2) There shall be an airline license, a boat license, a special  
20 party bus license, a pedal-pub vehicle license, and a railroad license.  
21 The commission shall charge one dollar for each duplicate of an airline  
22 license, a special party bus license, a pedal-pub vehicle license, or a  
23 railroad license.  
24 (3)(a) There shall be a manufacturer's license for alcohol and  
25 spirits, for beer, and for wine. The annual fee for a manufacturer's  
26 license for beer shall be based on the barrel daily capacity as follows:  
27 (i) 1 to 100 barrel daily capacity, or any part thereof, tier one;  
28 (ii) 100 to 150 barrel daily capacity, tier two;  
29 (iii) 150 to 200 barrel daily capacity, tier three;  
30 (iv) 200 to 300 barrel daily capacity, tier four;  
31 (v) 300 to 400 barrel daily capacity, tier five;  
1 (vi) 400 to 500 barrel daily capacity, tier six;  
2 (vii) 500 barrel daily capacity, or more, tier seven.  
3 (b) For purposes of this subsection, daily capacity means the  
4 average daily barrel production for the previous twelve months of  
5 manufacturing operation. If no such basis for comparison exists, the  
6 manufacturing licensee shall pay in advance for the first year's  
7 operation a fee of five hundred dollars.  
8 (4) There shall be five classes of nonbeverage users' licenses:  
9 Class 1, Class 2, Class 3, Class 4, and Class 5.  
10 (5) In lieu of a manufacturer's, a retailer's, or a wholesaler's  
11 license, there shall be a license to operate issued for a craft brewery,  
12 a farm winery, or a microdistillery.  
13 (6)(a) There shall be six classes of retail licenses:  
14 (i) Class A: Beer only, for consumption on the premises;  
15 (ii) Class B: Beer only, for consumption off the premises, sales in  
16 the original packages only;  
17 (iii) Class C: Alcoholic liquor, for consumption on the premises and  
18 off the premises, sales in original packages only except as provided in  
19 section 14 of this act. If a Class C license is held by a nonprofit  
20 corporation, it shall be restricted to consumption on the premises only.  
21 A Class C license may have a sampling designation restricting consumption  
22 on the premises to sampling, but such designation shall not affect sales  
23 for consumption off the premises under such license;  
24 (iv) Class D: Alcoholic liquor, including beer, for consumption off  
25 the premises, sales in the original packages only, except as provided in  
26 subdivision (6)(a)(vi) of this section and subsection (2) of section  
27 53-123.04;  
28 (v) Class I: Alcoholic liquor, for consumption on the premises and,  
29 subject to section 14 of this act, for consumption off the premises; and  
30 (vi) Class J: Alcoholic liquor, including beer, for consumption off  
31 the premises, sales in the original packages only, for a retail licensee  
1 whose annual gross revenue from the sale of alcohol does not exceed  
2 twenty percent of the licensee's total annual gross revenue from all  
3 retail sales.  
4 (b) All applicable license fees shall be paid by the applicant or

5 licensee directly to the city or village treasurer in the case of  
6 premises located inside the corporate limits of a city or village and  
7 directly to the county treasurer in the case of premises located outside  
8 the corporate limits of a city or village.  
9 (7) There shall be four types of shipping licenses as described in  
10 section 53-123.15: Manufacturers, vintage wines, manufacture direct  
11 sales, and retail direct sales.  
12 (8) There shall be two types of wholesale licenses: Alcoholic liquor  
13 and beer only. The annual fee shall be paid for the first and each  
14 additional wholesale place of business operated in this state by the same  
15 licensee and wholesaling the same product.  
16 (9) There shall be a bottle club license. All applicable license  
17 fees shall be paid by the applicant or licensee directly to the city or  
18 village treasurer in the case of premises located inside the corporate  
19 limits of a city or village and directly to the county treasurer in the  
20 case of premises located outside the corporate limits of a city or  
21 village.  
22 (10) The license year, unless otherwise provided in the Nebraska  
23 Liquor Control Act, shall commence on May 1 of each year and shall end on  
24 the following April 30, except that the license year for a Class C  
25 license shall commence on November 1 of each year and shall end on the  
26 following October 31. During the license year, no license shall be issued  
27 for a sum less than the amount of the annual license fee as fixed in  
28 section 53-124.01, regardless of the time when the application for such  
29 license has been made, except that (a) when there is a purchase of an  
30 existing licensed business and a new license of the same class is issued  
31 or (b) upon the issuance of a new license for a location which has not  
1 been previously licensed, the license fee and occupation taxes shall be  
2 prorated on a quarterly basis as of the date of issuance.  
3 Sec. 14. (1) The holder of a Class C license, a Class I license, or  
4 a farm winery license may obtain an off-premise endorsement for such  
5 license as prescribed in this section.  
6 (2) A licensee desiring to obtain an off-premise endorsement for a  
7 license shall file with the commission an application upon such forms as  
8 the commission prescribes and a fee of fifty dollars payable to the  
9 commission. The commission shall issue an off-premise endorsement for a  
10 Class C or Class I license in accordance with section 53-131 in the same  
11 manner as the licensee's retail license. The commission shall issue an  
12 off-premise endorsement for a farm winery license in accordance with  
13 section 53-123.12 in the same manner as the farm winery license. An off-  
14 premise endorsement may be issued for the same period and may be renewed  
15 in the same manner as the Class C, Class I, or farm winery license.  
16 (3) The holder of a Class C license as described in subdivision (6)  
17 (a)(iii) of section 53-124 may sell alcoholic liquor not in the original  
18 package, such as a mixed drink or cocktail, to a person twenty-one years  
19 of age or older for consumption off the premises if (a) the alcoholic  
20 liquor is (i) not partially consumed and (ii) in a labeled and sealed  
21 container with a tamper-evident lid, cap, or seal, as approved by the  
22 commission, and (b) for alcoholic liquor transported in a motor vehicle,  
23 the alcoholic liquor is placed in the trunk of the motor vehicle or the  
24 area behind the last upright seat of such motor vehicle if the area is  
25 not normally occupied by the driver or a passenger and the motor vehicle  
26 is not equipped with a trunk. Beginning July 1, 2022, the holder of a  
27 Class C license must obtain an off-premise endorsement to sell alcoholic  
28 liquor not in the original package for consumption off the premises as  
29 provided in this section.  
30 (4) The holder of a Class I license as described in subdivision (6)  
31 (a)(v) of section 53-124 may sell alcoholic liquor not in the original  
1 package, such as a mixed drink or cocktail, to a person twenty-one years  
2 of age or older for consumption off the premises if (a) the alcoholic



3 liquor is (i) not partially consumed, (ii) in a labeled and sealed  
4 container with a tamper-evident lid, cap, or seal, as approved by the  
5 commission, and (iii) purchased along with food and (b) for alcoholic  
6 liquor transported in a motor vehicle, the alcoholic liquor is placed in  
7 the trunk of the motor vehicle or the area behind the last upright seat  
8 of such motor vehicle if the area is not normally occupied by the driver  
9 or a passenger and the motor vehicle is not equipped with a trunk.  
10 Beginning July 1, 2022, the holder of a class I license must obtain an  
11 off-premise endorsement to sell alcoholic liquor not in the original  
12 package for consumption off the premises as provided in this section.  
13 (5) The holder of a farm winery license under section 53-123.11 may  
14 sell alcoholic liquor authorized under a farm winery license not in its  
15 original package, such as sangria or wine slushies, to a person twenty-  
16 one years of age or older for consumption off the premises if (a) the  
17 alcoholic liquor is (i) not partially consumed and (ii) in a labeled and  
18 sealed container with a tamper-evident lid, cap, or seal, as approved by  
19 the commission, and (b) for alcoholic liquor transported in a motor  
20 vehicle, the alcoholic liquor is placed in the trunk of the motor vehicle  
21 or the area behind the last upright seat of such motor vehicle if the  
22 area is not normally occupied by the driver or a passenger and the motor  
23 vehicle is not equipped with a trunk. Beginning July 1, 2022, the holder  
24 of a farm winery license must obtain an off-premise endorsement to sell  
25 alcoholic liquor authorized under a farm winery license not in its  
26 original package, such as sangria or wine slushies, for consumption off  
27 the premises as provided in this section.  
28 (6) The commission may adopt and promulgate rules and regulations to  
29 carry out this section.  
30 2. Renumber the remaining sections, correct internal references, and  
31 correct the repealer accordingly.

Senator J. Cavanaugh withdrew his amendment.

Senator Hilkemann offered the following amendment to the committee amendment:

[FA4](#)

Amend Committee AM427 to strike sections 4, 5, 6.

The Hilkemann amendment lost with 2 ayes, 17 nays, 27 present and not voting, and 3 excused and not voting.

Senator Hilkemann offered the following motion:

[MO12](#)

Recommit to the General Affairs Committee.

The Hilkemann motion to recommit to committee failed with 2 ayes, 20 nays, 24 present and not voting, and 3 excused and not voting.

Committee [AM427](#) was adopted with 30 ayes, 1 nay, 15 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 368.** Title read. Considered.

Committee [AM66](#), found on page 372, was offered.

### SPEAKER HILGERS PRESIDING

The committee amendment was adopted with 36 ayes, 0 nays, 9 present and not voting, and 4 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)

Government, Military and Veterans Affairs

**LEGISLATIVE BILL 261.** Placed on General File.

**LEGISLATIVE BILL 294.** Placed on General File.

**LEGISLATIVE BILL 442.** Placed on General File.

**LEGISLATIVE BILL 443.** Placed on General File.

**LEGISLATIVE BILL 236.** Placed on General File with amendment.

#### [AM438](#)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Section 23-187, Revised Statutes Cumulative Supplement,  
 4 2020, is amended to read:  
 5 23-187 (1) In addition to the powers granted by section 23-104, a  
 6 county may, in the manner specified by sections 23-187 to 23-193,  
 7 regulate the following subjects by ordinance:  
 8 (a) Parking of motor vehicles on public roads, highways, and rights-  
 9 of-way as it pertains to snow removal for and access by emergency  
 10 vehicles to areas within the county;  
 11 (b) Motor vehicles as defined in section 60-339 that are abandoned  
 12 on public or private property;  
 13 (c) Low-speed vehicles as described and operated pursuant to section  
 14 60-6,380;  
 15 (d) Golf car vehicles as described and operated pursuant to section  
 16 60-6,381;  
 17 (e) Graffiti on public or private property;  
 18 (f) False alarms from electronic security systems that result in  
 19 requests for emergency response from law enforcement or other emergency  
 20 responders;  
 21 (g) Violation of the public peace and good order of the county by  
 22 disorderly conduct, lewd or lascivious behavior, or public nudity;  
 23 (h) Peddlers, hawkers, or solicitors operating for commercial  
 24 purposes. If a county adopts an ordinance under this subdivision, the  
 25 ordinance shall provide for registration of any such peddler, hawker, or  
 26 solicitor without any fee and allow the operation or conduct of any  
 27 registered peddler, hawker, or solicitor in all areas of the county where  
 1 the county has jurisdiction and where a city or village has not otherwise  
 2 regulated such operation or conduct; and  
 3 (i) Operation of vehicles on any highway or restrictions on the  
 4 weight of vehicles pursuant to section 60-681.  
 5 (2) In addition to the powers granted by section 23-104, a county  
 6 which does not contain a city of the metropolitan class or city of the  
 7 primary class may, in the manner specified by sections 23-187 to 23-193,  
 8 and after receiving advice and counsel from the county sheriff, enact an  
 9 ordinance authorizing the carrying of concealed weapons for all persons

10 not otherwise prohibited from possessing or carrying such weapons under  
 11 state or federal law.

12 (3) Whenever any person who is carrying a concealed weapon in a  
 13 county that has authorized the carrying of a concealed weapon pursuant to  
 14 subsection (2) of this section is contacted by a peace officer or by  
 15 emergency services personnel, the person shall immediately inform the  
 16 peace officer or emergency services personnel that such person is  
 17 carrying a concealed weapon.

18 (4) ~~(2)~~ For the enforcement of any ordinance authorized by this  
 19 section, a county may impose fines, forfeitures, or penalties and provide  
 20 for the recovery, collection, and enforcement of such fines, forfeitures,  
 21 or penalties. A county may also authorize such other measures for the  
 22 enforcement of ordinances as may be necessary and proper. A fine enacted  
 23 pursuant to this section shall not exceed five hundred dollars for each  
 24 offense.

25 Sec. 2. Section 28-1202, Reissue Revised Statutes of Nebraska, is  
 26 amended to read:

27 28-1202 (1)(a) Except as otherwise provided in this section, any  
 28 person who carries a weapon or weapons concealed on or about his or her  
 29 person, such as a handgun, a knife, brass or iron knuckles, or any other  
 30 deadly weapon, commits the offense of carrying a concealed weapon.

31 (b) It is an affirmative defense that the defendant was engaged in  
 1 any lawful business, calling, or employment at the time he or she was  
 2 carrying any weapon or weapons and the circumstances in which such person  
 3 was placed at the time were such as to justify a prudent person in  
 4 carrying the weapon or weapons for the defense of his or her person,  
 5 property, or family.

6 (2) This section does not apply to a person who is the holder of a  
 7 valid permit issued under the Concealed Handgun Permit Act if the  
 8 concealed weapon the defendant is carrying is a handgun.

9 (3) This section does not apply to a person carrying a concealed  
 10 weapon in a county that has authorized the carrying of a concealed weapon  
 11 pursuant to section 23-187, if the person is not otherwise prohibited  
 12 from possessing or carrying such weapon under state or federal law.

13 (4) ~~(3)~~ Carrying a concealed weapon is a Class I misdemeanor.

14 (5) (4) In the case of a second or subsequent conviction under this  
 15 section, carrying a concealed weapon is a Class IV felony.

16 Sec. 3. Section 69-2428, Reissue Revised Statutes of Nebraska, is  
 17 amended to read:

18 69-2428 An individual may obtain a permit to carry a concealed  
 19 handgun in accordance with the Concealed Handgun Permit Act. Such permit  
 20 shall not be required in order to carry a concealed handgun in counties  
 21 that have authorized the carrying of a concealed weapon pursuant to  
 22 section 23-187.

23 Sec. 4. Original sections 28-1202 and 69-2428, Reissue Revised  
 24 Statutes of Nebraska, and section 23-187, Revised Statutes Cumulative  
 25 Supplement, 2020, are repealed.

**LEGISLATIVE BILL 285.** Placed on General File with amendment.

[AM431](#)

1 1. On page 3, line 30, after "(6)" insert "(a)"; and in line 31  
 2 after "whose" insert "sole".

3 2. On page 4, after line 7 insert the following new subdivision:

4 "(b) If the Secretary of State becomes a member of a nongovernmental  
 5 entity as described in subdivision (6)(a) of this section, the Secretary  
 6 of State shall submit an annual report electronically to the Clerk of the  
 7 Legislature by February 1 encompassing the preceding calendar year. The  
 8 report shall describe the terms of membership in the nongovernmental  
 9 entity and provide information on the total number of voters removed from  
 10 the voter registration register as a result of information received by

11 such membership and the reasons for the removal of such voters."  
 12 3. On page 6, line 8, strike "distribute such list or"; and in line  
 13 9 strike "it" and insert "such list".

(Signed) Tom Brewer, Chairperson

Nebraska Retirement Systems

**LEGISLATIVE BILL 17.** Placed on General File with amendment.  
[AM461](#) is available in the Bill Room.

(Signed) Mark Kolterman, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator B. Hansen filed the following amendment to [LB106](#):  
[AM462](#)

1 1. On page 2, line 17, after "shall" insert ", beginning on July 1,  
 2 2032."; in line 19 strike "eight and one-third", show as stricken, and  
 3 insert "sixty-six and two-thirds"; and in lines 20 and 21 strike "fifty-  
 4 eight and one-third percent to the General Fund" and show as stricken.  
 5 2. On page 3, line 30, strike "(8)" and insert "(8)(a)" and after  
 6 the last underscored comma insert "until June 30, 2032.".  
 7 3. On page 4, after line 5, insert the following new subdivision:  
 8 "(b) Beginning on June 30, 2032, for any record provided pursuant to  
 9 subsection (1) of this section, the requester shall be required to pay,  
 10 in addition to the fee prescribed in such subsection, a fee of fifty  
 11 cents, which shall be credited to the Department of Motor Vehicles Cash  
 12 Fund."; and in line 17 after "(3)" insert "The Department of Motor  
 13 Vehicles shall report to the Legislature by September 1 of each even-  
 14 numbered year through the year 2030 on the progress the department has  
 15 made on the new operator's license services system. The report shall  
 16 include an estimated cost for completion, the operating systems under  
 17 consideration, and the expected time the new operator's license services  
 18 system will become fully operational. The report shall be made  
 19 electronically.  
 20 (4)".

Senator B. Hansen filed the following amendment to [LB437](#):  
[AM538](#)

1 1. On page 8, line 16, strike "person, including vendors and  
 2 providers", show as stricken, and insert "recipient"; in line 17 strike  
 3 the first comma and show as stricken; and in line 30 after "(2)" insert  
 4 "Any vendor or provider of medical assistance or social services who, by  
 5 means of a willfully false statement or representation, or by  
 6 impersonation or other device, obtains or attempts to obtain, or aids or  
 7 abets any person to obtain or to attempt to obtain (a) an assistance  
 8 certificate of award to which he or she is not entitled, (b) any  
 9 commodity, any foodstuff, any food instrument, any Supplemental Nutrition  
 10 Assistance Program benefit or electronic benefit card, or any payment to  
 11 which such individual is not entitled or a larger payment than that to  
 12 which he or she is entitled, (c) any payment made on behalf of a  
 13 recipient of medical assistance or social services, or (d) any other  
 14 benefit administered by the Department of Health and Human Services, or  
 15 who violates any statutory provision relating to assistance to the aged,  
 16 blind, or disabled, aid to dependent children, social services, or

17 ~~medical assistance, commits an offense.~~  
 18 ~~(3) Any person who commits an offense under subsection (1) of this~~  
 19 ~~section shall upon conviction be punished as follows: (a) If the~~  
 20 ~~aggregate value of all funds or other benefits obtained or attempted to~~  
 21 ~~be obtained is five hundred dollars or less, the person so convicted~~  
 22 ~~shall be guilty of a Class IV misdemeanor; (b) if the aggregate value of~~  
 23 ~~all funds or other benefits obtained or attempted to be obtained is more~~  
 24 ~~than five hundred dollars but less than one thousand five hundred~~  
 25 ~~dollars, the person so convicted shall be guilty of a Class III~~  
 26 ~~misdemeanor; or (c) if the aggregate value of all funds and other~~  
 27 ~~benefits obtained or attempted to be obtained is one thousand five~~  
 1 ~~hundred dollars or more, the person so convicted shall be guilty of a~~  
 2 ~~Class IV felony.~~  
 3 ~~(4) and strike "(1)", show as stricken, and insert "(2)".~~

Senator B. Hansen filed the following amendment to LB301:  
[AM498](#)

1 1. Strike original section 3.  
 2 2. Renumber the remaining section and correct the repealer  
 3 accordingly.

### **COMMITTEE REPORT(S)** Nebraska Retirement Systems

The Nebraska Retirement Systems 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.

Keith Olson - Nebraska Investment Council

Aye: 6. Clements, Kolterman, Lindstrom, McDonnell, Slama, Stinner. Nay:  
 0. Absent: 0. Present and not voting: 0.

(Signed) Mark Kolterman, Chairperson

### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 56.** Introduced by Gragert, 40.

WHEREAS, the Crofton High School Warriors girls' basketball team won the 2021 Class C-2 Girls State Basketball Championship; and

WHEREAS, the Warriors ended the season with a 26 and 3 record after a victory over the Ponca Indians in the championship game by a score of 46 to 42; and

WHEREAS, this is the ninth such championship title for Crofton High School; and

WHEREAS, teammates Ella Wragge and Lacey Sprakel were selected for the All-Tournament team; and

WHEREAS, the Crofton Warriors girls' basketball team members are positive role models of hard work, dedication, perseverance, and discipline for young athletes; 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, FIRST SESSION:

1. That the Legislature recognizes and congratulates the Crofton High School girls' basketball team and its coaches for winning the 2021 Class C-2 Girls State Basketball Championship.

2. That a copy of this resolution be sent to the Crofton High School girls' basketball team and Coach Aaron Losing.

Laid over.

#### ANNOUNCEMENT

Senator Arch announced the Health and Human Services Committee will hold an executive session Wednesday, March 10, 2021, at 1:30 p.m., in Room 1510.

#### NOTICE OF COMMITTEE HEARING(S)

Revenue  
Room 1524

Tuesday, March 16, 2021 12:00 p.m.  
AM501 to LB181

(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 LB14.  
Senator Brewer name added to LB64.  
Senator Clements name added to LB85.  
Senator Murman name added to LB143.  
Senator Clements name added to LB173.  
Senator Briese name added to LB236.  
Senator Linehan name added to LB250.  
Senator Hansen, M. name added to LB258.  
Senator Albrecht name added to LB310.  
Senator Murman name added to LB322.  
Senator Murman name added to LB389.  
Senator Murman name added to LB436.  
Senator Slama name added to LB496.  
Senator Albrecht name added to LR3CA.

Senator Hunt name added to LR54.  
Senator Hilkemann name added to LR54.  
Senator Flood name added to LR54.  
Senator Brewer name added to LR54.  
Senator Briese name added to LR54.

**VISITOR(S)**

The Doctor of the Day was Dr. Joe Miller of Omaha.

**ADJOURNMENT**

At 11:55 a.m., on a motion by Senator Groene, the Legislature adjourned until 9:00 a.m., Wednesday, March 10, 2021.

Patrick J. O'Donnell  
Clerk of the Legislature

