

FORTY-SEVENTH DAY - MARCH 22, 2021

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION**

FORTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, March 22, 2021

PRAYER

The prayer was offered by Senator Lowe.

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., Speaker Hilgers presiding.

The roll was called and all members were present except Senators Arch and Brewer who were excused; and Senators Briese, M. Cavanaugh, Day, Lathrop, Pansing Brooks, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-sixth day was approved.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 561. Placed on Select File with amendment.
[ER25](#) is available in the Bill Room.

LEGISLATIVE BILL 88. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

COMMITTEE REPORT(S)

Appropriations

LEGISLATIVE BILL 185. Placed on General File with amendment.

AM706

1 1. Strike the original section and insert the following new section:
 2 Section 1. There is hereby appropriated (1) \$531,000 from the
 3 General Fund for FY2021-22 and (2) \$531,000 from the General Fund for
 4 FY2022-23 to the Department of Health and Human Services, for Program
 5 502, for state aid, to provide funds to tribally owned, urban-based,
 6 federally qualified health centers designated under the federal Indian
 7 Self-Determination and Education Assistance Act of 1975, Public Law
 8 93-638, as such act existed on January 1, 2021.
 9 No expenditures for permanent and temporary salaries and per diems
 10 for state employees shall be made from funds appropriated in this
 11 section.

(Signed) John Stinner, Chairperson

BILL ON FIRST READING

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

LEGISLATIVE BILL 40A. Introduced by Groene, 42.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 40, One Hundred Seventh Legislature, First Session, 2021.

NOTICE OF COMMITTEE HEARING(S)

General Affairs
 Room 1510

Monday, March 29, 2021 12:00 p.m.

LB561

Note: AM 639 to LB 561

(Signed) Tom Briese, Chairperson

Nebraska Retirement Systems
 Room 1525

Thursday, April 8, 2021 12:00 p.m.

Pamela E. Lancaster - Public Employees Retirement Board

Thomas E. Zimmerman - Public Employees Retirement Board

Presentation of the Nebraska Investment Council Annual Report to the

Nebraska Retirement Systems Committee pursuant to section 72-1243(2).

Presentation of the Nebraska Public Employees Retirement Systems Annual

Report to the Nebraska Retirement Systems Committee pursuant to

section 84-1503(3)

(Signed) Mark Kolterman, Chairperson

AMENDMENT(S) - Print in Journal

Senator Williams filed the following amendment to [LB322](#):
[AM718](#)

(Amendments to Standing Committee amendments, AM464)

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Sections 1 to 7 of this act shall be known and may be
4 cited as the School Safety and Security Reporting System Act.
5 Sec. 2. The Legislature finds that the COVID-19 pandemic has
6 impacted the health and well-being of students throughout Nebraska,
7 resulting in the need for a scalable support system and report line to
8 enhance the safety and well-being of students in each elementary and
9 secondary school.
10 Sec. 3. For purposes of the School Safety and Security Reporting
11 System Act:
12 (1) Concerning behavior includes, but is not limited to, suicide,
13 bullying, stalking behavior, cyber or electronic harassment, bomb threat,
14 family violence, physical or sexual abuse, threat to property, behavior
15 indicative of terrorism, assault or attack, inappropriate weapons use,
16 concern about mental health or substance use, sexual exploitation or
17 predation, and any direct or indirect threatening statement;
18 (2) Department means the State Department of Education or the state
19 school security director;
20 (3) Mental health professional means a school psychologist, social
21 worker, or licensed mental health professional;
22 (4) Report line staff means the staff of the Safe2HelpNE report line
23 as provided in subsection (4) of section 4 of this act;
24 (5) Safe2HelpNE report line means the reporting system established
25 pursuant to section 4 of this act;
26 (6) Threat assessment means an evidence-based process to reduce
1 potential risks and incidents of violence resulting in harm to one or
2 more persons or school property; and
3 (7) Threat assessment team means a school-based team of at least
4 five members who have completed the training required pursuant to section
5 5 of this act and includes, but is not limited to, the principal or
6 principal's designee, a mental health professional, and a member of the
7 school staff.
8 Sec. 4. (1) The department shall establish the Safe2HelpNE report
9 line as a statewide, anonymous reporting system to support threat
10 assessment teams and reduce potential risks and incidents of violence
11 resulting in harm to self, others, or school property.
12 (2) The Safe2HelpNE report line shall be multi-modal to allow
13 students, school staff, parents, and community members to anonymously
14 report concerns and information about concerning behavior or possible
15 harm to persons or property by telephone call, mobile application, web
16 site, or email without charge. The Safe2HelpNE report line shall be
17 available to any public or nonpublic school that has a threat assessment
18 team and that maintains a current list of the contact information for at
19 least five team members designated to receive alerts from staff at any
20 time of the day or night.
21 (3) Except as otherwise required by law, the identity of any
22 individual who contacts the Safe2HelpNE report line shall be confidential
23 and shall not be revealed.
24 (4) The Safe2HelpNE report line shall be staffed seven days per week
25 and twenty-four hours per day by professionals trained to receive
26 concerns, use de-escalation techniques to minimize law enforcement

27 involvement, and alert the appropriate threat assessment team for review,
28 assessment, and action to protect persons and property. The report line
29 staff shall also be trained in threat assessment and management
30 processes, suicide prevention, recognizing mental illness and emotional
31 disturbance, and applicable confidentiality and privacy laws. The report
1 line staff shall have access to clinical consultation and support seven
2 days per week and twenty-four hours per day from a licensed mental health
3 professional.

4 (5) The report line staff shall immediately alert the appropriate
5 threat assessment team of any concern directly regarding a student,
6 school staff member, or school property or that is likely to impact a
7 student, school staff member, or school property. If there is an
8 immediate life safety concern, emergency services shall be contacted
9 prior to any threat assessment team. Each alert that is not referred to
10 emergency services, law enforcement, or child protective services shall
11 be assessed by the threat assessment team receiving such alert. If a
12 threat assessment team decides a report regarding a student is credible,
13 a representative of the school administration shall, within a reasonable
14 period of time, attempt to notify a parent or guardian of the student
15 except when such notification could reasonably be believed to contribute
16 to the endangerment of the student or others. Such notification or
17 attempted notification shall be documented in a manner prescribed by the
18 department.

19 (6) The department shall track and evaluate the effectiveness and
20 usage of the Safe2HelpNE report line. The report line staff shall report
21 the number of calls received, disposition of calls, referrals made to
22 threat assessment teams, and other metrics as determined by and in the
23 manner prescribed by the department.

24 (7) Any information or material in the possession of the threat
25 assessment team shall remain separate from educational records and shall
26 be considered security records.

27 Sec. 5. The department shall provide training for the members of
28 any threat assessment team serving a public or nonpublic school. Such
29 training shall provide the knowledge and skill to allow threat assessment
30 teams to work collaboratively to conduct threat assessments, engage in
31 crisis intervention, increase awareness of concerning behavior among
1 school staff, students, and the public, and interrupt violence in the
2 planning stage to thwart potential harm to persons and property.

3 Sec. 6. It is the intent of the Legislature that federal funds
4 shall be used to implement the School Safety and Security Reporting
5 System Act for fiscal years 2021-22, 2022-23, and 2023-24. The
6 Commissioner of Education shall electronically report data, a cost-
7 benefit analysis, and a funding recommendation regarding the continued
8 viability of the Safe2HelpNE report line to the Appropriation Committee
9 of the Legislature and the Education Committee of the Legislature on or
10 before January 5, 2024.

11 Sec. 7. The department may adopt and promulgate rules and
12 regulations to carry out the School Safety and Security Reporting System
13 Act.

14 Sec. 8. Section 79-2,144, Revised Statutes Cumulative Supplement,
15 2020, is amended to read:

16 79-2,144 The state school security director appointed pursuant to
17 section 79-2,143 shall be responsible for providing leadership and
18 support for safety and security for the public schools. Duties of the
19 director include, but are not limited to:

20 (1) Collecting safety and security plans, required pursuant to rules
21 and regulations of the State Department of Education relating to
22 accreditation of schools, and other school security information from each
23 school system in Nebraska. School districts shall provide the state
24 school security director with the safety and security plans of the school

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

SELECT FILE

LEGISLATIVE BILL 14. [ER20](#), found on page 622, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 389. [ER19](#), found on page 623, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 387. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 22. [ER4](#), found on page 449, was adopted.

Senator Williams offered his amendment, [AM610](#), found on page 632.

The Williams amendment was adopted with 37 ayes, 0 nays, 4 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 368. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 369. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 100. [ER21](#), found on page 665, was adopted.

Senator Blood offered the following amendment:

[AM653](#)

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

3 Section 1. (1) Notwithstanding section 44-3,131, any individual or
4 group sickness and accident insurance policy, certificate, or subscriber
5 contract delivered, issued for delivery, or renewed in this state and any
6 hospital, medical, or surgical expense-incurred policy, except for
7 policies that provide coverage for a specified disease or other limited
8 benefit coverage, and any self-funded employee benefit plan to the extent
9 not preempted under federal law that includes coverage for a self-
10 administered hormonal contraceptive that is approved by the federal Food
11 and Drug Administration shall reimburse an in-network health care
12 provider or dispensing entity on a per-unit basis for dispensing a supply
13 of such contraceptive to a covered individual as follows:

14 (a) For the first prescription of such contraceptive, at least up to
15 a three-month supply, if so prescribed; and

16 (b) For subsequent refills of the same contraceptive, regardless of
17 whether the covered individual was enrolled in the policy, contract, or
18 plan at the time of the first prescription for such contraceptive, up to
19 a six-month supply, if so prescribed.

20 (2) Nothing in this section shall be construed to:

21 (a) Require a health care provider to prescribe a six-month supply
22 of a self-administered hormonal contraceptive; or

23 (b) Permit a policy, contract, or plan to impose cost-sharing for an
24 alternative method of contraception if a covered individual changes
25 contraceptive methods before exhausting a previously dispensed supply of
26 a self-administered hormonal contraceptive.

27 (3) A policy, contract, or plan shall be exempt from this section
1 for a policy, contract, or plan year if, using a calculation method
2 approved by the Department of Insurance, the cost of coverage would
3 likely exceed one percent of all premiums collected under such policy,
4 contract, or plan for such policy, contract, or plan year.

5 Sec. 2. Section 68-901, Revised Statutes Cumulative Supplement,
6 2020, is amended to read:

7 68-901 Sections 68-901 to 68-9,100 and sections 3 and 4 of this act
8 shall be known and may be cited as the Medical Assistance Act.

9 Sec. 3. (1) In providing family planning services and supplies
10 under the medical assistance program, the department shall ensure that a
11 prescription for the dispensation of a covered self-administered hormonal
12 contraceptive is provided as follows:

13 (a) For the first prescription of such contraceptive, at least up to
14 a three-month supply, if so prescribed; and

15 (b) For subsequent refills of the same contraceptive, regardless of
16 whether the covered individual was enrolled in the medical assistance
17 program at the time of the first prescription for such contraceptive, up
18 to a six-month supply, if so prescribed.

19 (2) Nothing in this section shall be construed to limit a medical
20 assistance recipient's freedom to choose or change the method of family

21 planning to use, regardless of whether the recipient has exhausted a
 22 previously dispensed supply of contraceptives.
 23 Sec. 4. (1) For purposes of this section, multiple procedure
 24 payment reduction policy means a policy used in the federal medicare
 25 program under Title XVIII of the federal Social Security Act for
 26 outpatient rehabilitation service codes where full payment is made for
 27 the unit or procedure with the highest rate and subsequent units and
 28 procedures are paid at a reduction of the published rates when more than
 29 one unit procedure is provided to the same patient on the same day.
 30 (2) A multiple procedure payment reduction policy shall not be
 31 implemented under the Medical Assistance Act as it applies to therapy
 1 services provided by physical therapy, occupational therapy, or speech-
 2 language pathology.
 3 Sec. 5. Original section 68-901, Revised Statutes Cumulative
 4 Supplement, 2020, is repealed.

Senator Blood moved for a call of the house. The motion prevailed with 23 ayes, 4 nays, and 22 not voting.

The Blood amendment was adopted with 25 ayes, 11 nays, 7 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Advanced to Enrollment and Review for Engrossment.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 59, 60, 61, 62, and 63 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 59, 60, 61, 62, and 63.

SELECT FILE

LEGISLATIVE BILL 101. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 351. Senator Vargas offered the following amendment:

[AM603](#)

1 1. Insert the following new sections:
 2 Section 1. Section 71-1914, Reissue Revised Statutes of Nebraska, is
 3 amended to read:
 4 71-1914 (1) The department shall be the state's coordinating agency
 5 for licensure and regulation of programs in this state in order to (a)
 6 provide efficient services pursuant to the Child Care Licensing Act, (b)
 7 avoid duplication of services, and (c) prevent an unnecessary number of
 8 inspections of any program. The department may request cooperation and
 9 assistance from local and state agencies and such agencies shall promptly
 10 respond. The department shall not be responsible for verifying compliance
 11 with subdivision (3)(b) of section 71-1962. The extent of an agency's

12 cooperation may be included in the report to the Legislature pursuant to
13 section 43-3402.

14 (2) A city, village, or county may adopt rules, regulations, or
15 ordinances establishing physical well-being and safety standards for
16 programs whether or not the persons providing such programs are subject
17 to licensure under section 71-1911. Such rules, regulations, or
18 ordinances shall be as stringent as or more stringent than the
19 department's rules and regulations for licensees pursuant to the Child
20 Care Licensing Act. The city, village, or county adopting such rules,
21 regulations, or ordinances and the department shall coordinate the
22 inspection and supervision of licensees to avoid duplication of
23 inspections. A city, village, or county shall report any violation of
24 such rules, regulations, or ordinances to the department. The city,
25 village, or county may administer and enforce such rules, regulations,
26 and ordinances. Enforcement of provisions of the Child Care Licensing Act
27 or rules or regulations adopted and promulgated under the act shall be by
1 the department pursuant to sections 71-1919 to 71-1923.

2 Sec. 3. Section 71-1962, Revised Statutes Cumulative Supplement,
3 2020, is amended to read:

4 71-1962 (1) ~~The Not later than March 1, 2014, the State Department~~
5 of Education shall create and operate the Nebraska Early Childhood
6 Professional Record System and verify compliance with subdivision (3)(b)
7 of this section. The system shall be designed in order to:

8 (a) Establish a data base of Nebraska's early childhood education
9 workforce;

10 (b) Verify educational degrees and professional credentials held and
11 relevant training completed by employees of participating applicable
12 child care and early childhood education programs; and

13 (c) Provide such information to the Department of Health and Human
14 Services for use in evaluating applications to be rated at a step above
15 step one under section 71-1959.

16 (2) When an applicable child care or early childhood education
17 program participating in the quality rating and improvement system
18 developed pursuant to section 71-1955 applies under section 71-1959 to be
19 rated at a step above step one, the child care or early childhood
20 education program shall report the educational degrees and professional
21 credentials held and relevant training completed by its child care and
22 early childhood education employees to the Nebraska Early Childhood
23 Professional Record System for the program to be eligible for a quality
24 scale rating above step one.

25 ~~(3)(a) (3)~~ Any child care or early childhood education provider
26 residing or working in Nebraska, ~~and not otherwise required to,~~ may
27 report his or her educational degrees and professional credentials held,
28 relevant training completed, and work history to the Nebraska Early
29 Childhood Professional Record System.

30 (b) Beginning June 30, 2023, each employee of a program as defined
31 in section 71-1910 shall report his or her educational degrees and
1 professional credentials held, relevant training completed, and work
2 history to the Nebraska Early Childhood Professional Record System.

3 (c) Until June 30, 2023, the State Department of Education shall,
4 upon request, make reasonable efforts to assist any child care or early
5 childhood education provider in complying with subdivision (b) of this
6 subsection.

7 (4) The State Department of Education shall develop a classification
8 system for all eligible staff members as defined in section 77-3603 who
9 are employees of or who are self-employed individuals providing services
10 for applicable child care and early childhood education programs listed
11 in the Nebraska Early Childhood Professional Record System. The
12 classification system shall be based on the eligible staff members'
13 educational degrees and professional credentials held, relevant training

14 completed, and work history and shall be made up of four levels, with
 15 level one being the least qualified and level four being the most
 16 qualified. The minimum qualification for an eligible staff member to be
 17 classified as level one shall be a Child Development Associate Credential
 18 or a one-year certificate or diploma in early childhood education or
 19 child development. The classification system shall be used for purposes
 20 of the tax credit granted in section 77-3605.
 21 2. Renumber the remaining sections and correct the repealer
 22 accordingly.

Senator Vargas moved for a call of the house. The motion prevailed with 20
 ayes, 5 nays, and 24 not voting.

The Vargas amendment lost with 21 ayes, 16 nays, 7 present and not voting,
 and 5 excused and not voting.

The Chair declared the call raised.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 476. Advanced to Enrollment and Review for
 Engrossment.

LEGISLATIVE BILL 533. Advanced to Enrollment and Review for
 Engrossment.

LEGISLATIVE BILL 401. Senator Wayne requested a record vote on the
 advancement of the bill.

Voting in the affirmative, 37:

Aguilar	Erdman	Hilgers	McCollister	Slama
Albrecht	Flood	Hilkemann	McDonnell	Stinner
Blood	Geist	Hughes	Morfeld	Vargas
Bostelman	Gragert	Hunt	Moser	Walz
Brandt	Groene	Kolterman	Murman	Williams
Clements	Halloran	Lindstrom	Pahls	
DeBoer	Hansen, B.	Linehan	Pansing Brooks	
Dorn	Hansen, M.	Lowe	Sanders	

Voting in the negative, 0.

Present and not voting, 7:

Bostar	Cavanaugh, M.	McKinney	Wishart
Cavanaugh, J.	Friesen	Wayne	

Excused and not voting, 5:

Arch Brewer Briese Day Lathrop

Advanced to Enrollment and Review for Engrossment with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 37. Senator Lowe offered his amendment, [AM581](#), found on page 605.

The Lowe amendment was adopted with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 169. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 255. Senator Flood offered his amendment, [AM680](#), found on page 683.

The Flood amendment was adopted with 33 ayes, 2 nays, 9 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 281. Title read. Considered.

Committee [AM298](#), found on page 632, was adopted with 32 ayes, 0 nays, 12 present and not voting, and 5 excused and not voting.

Pending.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 70. Introduced by McKinney, 11.

WHEREAS, Manifested Purpose, LLC Family Life Education and Coaching offers the tools and resources needed to empower families through crisis, trauma, and life transitions; and

WHEREAS, Manifested Purpose offers classes and workshops designed to assist families to develop a healthy and satisfying family culture; and

WHEREAS, one such class is the Black Studies Bootcamp for Youth, which is offered in separate sessions for children ages eight to eleven and for children ages twelve to sixteen; and

WHEREAS, the Black Studies Bootcamp for Youth provides children the opportunity to travel back in time and learn the truth and fundamentals about Black history during a ten week learning series.

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

1. That the Legislature recognizes Manifested Purpose, LLC Family Life Education and Coaching for its work in empowering families and providing Black history education to youth in the Omaha community.

2. That a copy of this resolution be sent to Manifested Purpose, LLC Family Life Education and Coaching.

Laid over.

LEGISLATIVE RESOLUTION 71. Introduced by McKinney, 11.

WHEREAS, Tiffany Gamble founded the Emerging Ladies Academy in 2017 with the purpose of empowering Black girls in technology; and

WHEREAS, the Emerging Ladies Academy is dedicated to providing technology education, mentorship, and a safe space for Black girls to develop a bright future as skilled workers and leaders in science, technology, engineering, arts, and math; and

WHEREAS, in addition to community-based workshops, after school programming is offered by Emerging Ladies Academy in five Omaha middle schools; and

WHEREAS, the Emerging Ladies Academy has already served, educated, and inspired over one hundred girls.

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

1. That the Legislature recognizes the Emerging Ladies Academy for its work in inspiring Black girls in the Omaha community.

2. That a copy of this resolution be sent to Tiffany Gamble on behalf of the Emerging Ladies Academy.

Laid over.

LEGISLATIVE RESOLUTION 72. Introduced by McKinney, 11.

WHEREAS, the Urban Flag Football League was founded by Qasim C. Shabazz Asad; and

WHEREAS, Qasim worked with a collaboration of passionate leaders from the Omaha community who are vested in spreading the value of physical health, as well as self and cultural awareness; and

WHEREAS, the leaders of the Urban Flag Football League created the Manhood Development Program to teach life skills to Black youth in Omaha; and

WHEREAS, these life skills include fishing, camping, hunting and firearm safety, and mechanic skills, such as changing the tires on and oil in a car; and

WHEREAS, the success of the Manhood Development Program has led to the creation of the Sisterhood Program in order for young girls to learn these same life skills; and

WHEREAS, the Manhood Development Program and Sisterhood Program each strive to teach self-discipline, respect, love, and appreciation for life to Omaha's youth.

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

1. That the Legislature recognizes the Manhood Development Program and the Sisterhood Program of the Urban Flag Football League for their work in teaching life skills and self-discipline to Black youth in Omaha.

2. That a copy of this resolution be sent to Qasim C. Shabazz Asad on behalf of the Manhood Development Program and the Sisterhood Program of the Urban Flag Football League.

Laid over.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 274A. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 274, One Hundred Seventh Legislature, First Session, 2021.

LEGISLATIVE BILL 376A. Introduced 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 561A. Introduced by Briese, 41.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 561, One Hundred Seventh Legislature, First Session, 2021; and to declare an emergency.

LEGISLATIVE BILL 366A. Introduced by Briese, 41.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 366, One Hundred Seventh Legislature, First Session, 2021.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Wayne name added to LB8.
Senator McDonnell name added to LB8.
Senator Wayne name added to LB12.
Senator Wayne name added to LB212.
Senator Wayne name added to LB223.
Senator Wayne name added to LB237.
Senator Wayne name added to LB387.
Senator Wayne name added to LB398.
Senator Wayne name added to LB407.
Senator Flood name added to LB537.
Senator Wayne name added to LR21CA.

WITHDRAW - Cointroducer(s)

Senator Wayne name withdrawn from LB306.

RECESS

At 12:04 p.m., on a motion by Senator Slama, the Legislature recessed until 1:30 p.m.

AFTER RECESS

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

ROLL CALL

The roll was called and all members were present except Senators Arch and Brewer who were excused; and Senators Briese, M. Hansen, Lathrop, Linehan, Morfeld, and Wayne who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 281. Senator Pahls offered the following amendment:

[AM736](#)

(Amendments to Standing Committee amendments, AM298)

1 1. On page 1, line 9, after "district" insert "and each private,
2 denominational, and parochial school"; and in line 12 after "districts"
3 insert "and private, denominational, and parochial schools".

Senator Pahls withdrew his amendment.

Senator Hunt offered the following amendment:

[AM735](#)

(Amendments to Standing Committee amendments, AM298)

1 1. On page 2, line 9, after the period insert "If federal funds
 2 under the federal Every Student Succeeds Act are unavailable, it is the
 3 intent of the Legislature to appropriate funds for curriculum to
 4 implement subsections (2) and (3) of this section. Such appropriated
 5 funds shall be distributed to school districts proportionally based on
 6 the most recently available fall membership numbers."

Senator Hunt moved for a call of the house. The motion prevailed with 18 ayes, 3 nays, and 28 not voting.

Senator Hunt requested a roll call vote, in reverse order, on her amendment.

Voting in the affirmative, 16:

Blood	DeBoer	Kolterman	Vargas
Cavanaugh, J.	Friesen	McCollister	Walz
Cavanaugh, M.	Hansen, M.	McKinney	Wayne
Day	Hunt	Pansing Brooks	Wishart

Voting in the negative, 24:

Aguilar	Dorn	Groene	Hughes	Moser
Albrecht	Erdman	Halloran	Lindstrom	Murman
Bostelman	Flood	Hansen, B.	Linehan	Sanders
Brandt	Geist	Hilgers	Lowe	Slama
Clements	Gragert	Hilkemann	McDonnell	

Present and not voting, 3:

Bostar	Stinner	Williams
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Excused and not voting, 6:

Arch	Briese	Morfeld
Brewer	Lathrop	Pahls

The Hunt amendment was lost with 16 ayes, 24 nays, 3 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Advanced to Enrollment and Review Initial with 32 ayes, 1 nay, 10 present and not voting, and 6 excused and not voting.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 473A. Introduced 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 452A. Introduced 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.

AMENDMENT(S) - Print in Journal

Senator Day filed the following amendment to LB639:

[AM683](#)

(Amendments to Standing Committee amendments, AM541)

1 1. Insert the following new amendment:

2 3. On page 4, line 1, after "acts" insert "as a reasonably prudent

3 school or school employee".

RESOLUTION(S)

LEGISLATIVE RESOLUTION 73. Introduced by Speaker Hilgers, 21; 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; Groene, 42; Halloran, 33; Hansen, B., 16; Hansen, M., 26; 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; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, Dr. Joseph Clarke Stothert will be remembered as a loving husband, a devoted father, a compassionate physician, and a steadfast public servant; and

WHEREAS, Dr. Stothert attended MacMurray College in Jacksonville, Illinois, where he received a Bachelor of Science degree in Chemistry. He earned a medical degree at St. Louis University and a doctorate in pulmonary physiology and biophysics at the University of Washington in Seattle; and

WHEREAS, Dr. Stothert was recruited to Omaha in 1993 to create a state-of-the-art medical trauma care system; and

WHEREAS, Dr. Stothert served as the Medical Director for the Omaha Fire Department, Douglas County 911, Metro Community College, and Eppley Airfield; and

WHEREAS, Dr. Stothert served as Director of Trauma for the State of Nebraska; and

WHEREAS, Dr. Stothert was the husband of Omaha Mayor Jean Stothert for over 40 years; and

WHEREAS, Dr. Stothert was a father of two children and grandfather to four grandchildren; and

WHEREAS, Dr. Stothert will be greatly missed by his family and by the many friends and colleagues to whom he made a contribution.

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

1. That the Legislature honors Dr. Joseph Clarke Stothert for his dedication to the practice of medicine and passion for his community, and offers condolences to his family.

2. That a copy of this resolution be sent to the family of Dr. Joseph Stothert.

Laid over.

SENATOR HUGHES PRESIDING

GENERAL FILE

LEGISLATIVE BILL 572. Title read. Considered.

Committee [AM410](#), found on page 527, was offered.

Senator Erdman offered his amendment, [AM484](#), found on page 565, to the committee amendment.

Senator Erdman withdrew his amendment.

Senator Erdman offered the following amendment to the committee amendment:

[AM686](#)

(Amendments to Standing Committee amendments, AM410)

1 1. Strike amendments 1, 2, and 11 and insert the following new

2 amendments:

3 1. Strike sections 4, 5, and 10 and insert the following new

4 sections:

5 Sec. 16. Section 54-191, Revised Statutes Cumulative Supplement,

6 2020, is amended to read:

7 54-191 (1) The Nebraska Brand Committee is hereby created. Beginning

8 August 28, 2007, the brand committee shall consist of five members

9 appointed by the Governor, subject to confirmation by the Legislature. At

10 least three appointed members shall be active cattlemen and at least

11 one appointed member shall be an active cattle feeder. The Secretary of

12 State and the Director of Agriculture, or their designees, shall be

13 nonvoting, ex officio members of the brand committee. The appointed

14 members shall be owners of cattle within the brand inspection area, shall
 15 reside within the brand inspection area, shall be owners of Nebraska-
 16 recorded brands, and shall be persons whose principal business and
 17 occupation is the raising or feeding of cattle within the brand
 18 inspection area.

19 (2) The members of the brand committee shall elect a chairperson and
 20 vice-chairperson from among its appointed members during the first
 21 meeting held after September 1 each calendar year. A member may be
 22 reelected to serve as chairperson or vice-chairperson.

23 (3) The terms of the members shall be four-year, staggered terms,
 24 beginning on August 28 of the year of initial appointment or
 25 reappointment and concluding on August 27 of the year of expiration. At
 26 the expiration of the term of an appointed member, the Governor shall
 1 appoint a successor, subject to confirmation by the Legislature. If there
 2 is a vacancy on the brand committee, the Governor shall fill such vacancy
 3 by appointing a member to serve during the unexpired term of the member
 4 whose office has become vacant. Any appointment to fill a vacancy shall
 5 be subject to confirmation by the Legislature.

6 (4) The action of a majority of the members shall be deemed the
 7 action of the brand committee. No appointed member shall hold any
 8 elective or appointive state or federal office while serving as a member
 9 of the brand committee. Each member and each brand committee employee who
 10 collects or who is the custodian of any funds shall be bonded or insured
 11 as required under section 11-201. The appointed members of the brand
 12 committee shall be reimbursed for expenses in attending meetings of the
 13 brand committee or in performing any other duties that are prescribed in
 14 the Livestock Brand Act or section 54-415, as provided for in sections
 15 81-1174 to 81-1177.

16 The purpose of the Nebraska Brand Committee is to protect Nebraska
 17 brand and livestock owners from the theft of livestock through
 18 established brand recording, brand inspection, and livestock theft
 19 investigation.

20 Sec. 31. A person commits a Class III felony if such person:

21 (1) Willfully and knowingly performs or causes to be performed any
 22 act to:

23 (a) Apply, remove, damage, or alter an approved non-visual
 24 identifier; or

25 (b) Expunge, alter, render inaccessible, or otherwise corrupt
 26 information recorded or embedded on or in an approved non-visual
 27 identifier; and

28 (2) Such conduct is done with the intent to deprive an owner of
 29 livestock or falsely assert ownership of livestock.

30 2. On page 2, line 3, after the last comma insert "and 31"; in line
 31 4 strike "10, 11, and 12"; in line 9 strike "8, 9, 10" and insert "8, and
 1 9"; and in line 10 strike "11, and 12".

2 11. Renumber the remaining sections and correct the repealer
 3 accordingly.

Senator Erdman moved for a call of the house. The motion prevailed with
 16 ayes, 6 nays, and 27 not voting.

The Erdman amendment was adopted with 36 ayes, 2 nays, 6 present and
 not voting, and 5 excused and not voting.

The Chair declared the call raised.

SENATOR HUGHES PRESIDING

Senator Halloran moved for a call of the house. The motion prevailed with 28 ayes, 4 nays, and 17 not voting.

Senator Halloran requested a roll call vote on the committee amendment.

Voting in the affirmative, 30:

Aguilar	DeBoer	Gragert	Hunt	Moser
Albrecht	Dorn	Groene	Lindstrom	Murman
Brandt	Erdman	Halloran	Linehan	Sanders
Cavanaugh, J.	Flood	Hansen, B.	Lowe	Slama
Clements	Friesen	Hilgers	McCollister	Walz
Day	Geist	Hughes	Morfeld	Williams

Voting in the negative, 7:

Blood	Hilkemann	Stinner	Wishart
Cavanaugh, M.	Kolterman	Vargas	

Present and not voting, 4:

Bostar	Hansen, M.	McKinney	Pansing Brooks
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Absent and not voting, 1:

McDonnell

Excused and not voting, 7:

Arch	Brewer	Lathrop	Wayne
Bostelman	Briese	Pahls	

The committee amendment was adopted with 30 ayes, 7 nays, 4 present and not voting, 1 absent and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review Initial with 26 ayes, 4 nays, 12 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 74. Introduced by Aguilar, 35.

WHEREAS, the Grand Island Central Catholic (GICC) boys' basketball team won the 2021 Class C-2 Boys State Basketball Championship; and

WHEREAS, the GICC Crusaders ended the season with a 25 and 4 record after a victory over the Yutan Chieftains in the championship game, winning by a score of 55 to 34; and

WHEREAS, the Crusaders boys' 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, other students, 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 Grand Island Central Catholic boys' basketball team and its coaches on winning the 2021 Class C-2 Boys State Basketball Championship.

2. That copies of this resolution be sent to the Grand Island Central Catholic boys' basketball team and Coach Tino Martinez.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Lindstrom name added to LB194.

VISITOR(S)

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

ADJOURNMENT

At 4:59 p.m., on a motion by Senator Erdman, the Legislature adjourned until 9:00 a.m., Tuesday, March 23, 2021.

Patrick J. O'Donnell
Clerk of the Legislature

