

SEVENTIETH DAY - APRIL 29, 2021

LEGISLATIVE JOURNAL

**ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION**

SEVENTIETH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, April 29, 2021

PRAYER

The prayer was offered by Senator Clements.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Walz.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Albrecht, Bostar, Briese, Hunt, Morfeld, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixty-ninth day was approved.

NOTICE OF COMMITTEE HEARING(S)
Banking, Commerce and Insurance
Room 1507

Thursday, May 6, 2021 12:00 p.m.
Eric Dunning - Department of Insurance

(Signed) Matt Williams, Chairperson

REPORTS

Agency reports electronically filed with the Legislature can be found on the [Nebraska Legislature's website](#).

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of April 28, 2021, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Nowka & Edwards
Stonehenge Capital Company, LLC

GENERAL FILE

LEGISLATIVE BILL 388A. Title read. Considered.

Senator Friesen offered the following amendment:

[AM1193](#)

- 1 1. Insert the following new section:
- 2 Sec. 2. Since an emergency exists, this act takes effect when passed
- 3 and approved according to law.
- 4 2. On page 2, line 2, strike beginning with "and" through the second
- 5 "Fund"; and strike beginning with the second "and" in line 3 through
- 6 "Fund" in line 4.

The Friesen amendment was adopted with 43 ayes, 0 nays, 3 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 247A. Advanced to Enrollment and Review for Engrossment.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 58.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-520.01, Reissue Revised Statutes of Nebraska; to change provisions relating to service of notice by publication in cases involving liens arising from city or village special assessments; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure

having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar	Cavanaugh, M.	Groene	Linehan	Sanders
Albrecht	Clements	Halloran	McCollister	Slama
Arch	Day	Hansen, B.	McDonnell	Stinner
Blood	DeBoer	Hilgers	McKinney	Vargas
Bostar	Dorn	Hilkemann	Morfeld	Walz
Bostelman	Flood	Hughes	Moser	Wayne
Brandt	Friesen	Kolterman	Murman	Williams
Briese	Geist	Lathrop	Pahls	Wishart
Cavanaugh, J.	Gragert	Lindstrom	Pansing Brooks	

Voting in the negative, 0.

Present and not voting, 2:

Erdman Lowe

Excused and not voting, 3:

Brewer Hansen, M. Hunt

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 63.

A BILL FOR AN ACT relating to property taxes; to amend sections 77-202.01 and 77-202.09, Reissue Revised Statutes of Nebraska; to change certain deadlines relating to certain property tax exemptions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar	Clements	Halloran	Linehan	Pansing Brooks
Albrecht	Day	Hansen, B.	Lowe	Sanders
Arch	Dorn	Hansen, M.	McCollister	Slama
Blood	Erdman	Hilgers	McDonnell	Stinner
Bostar	Flood	Hilkemann	McKinney	Vargas
Bostelman	Friesen	Hughes	Morfeld	Walz
Brandt	Geist	Kolterman	Moser	Williams
Briese	Gragert	Lathrop	Murman	Wishart
Cavanaugh, J.	Groene	Lindstrom	Pahls	

Voting in the negative, 0.

Present and not voting, 3:

Cavanaugh, M. DeBoer Wayne

Excused and not voting, 2:

Brewer Hunt

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 181. With Emergency Clause.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-6703, Revised Statutes Cumulative Supplement, 2020; to change certain school district tax credit provisions; to provide an operative date; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

Aguilar	Clements	Halloran	Lowe	Stinner
Albrecht	Day	Hansen, B.	McCollister	Vargas
Arch	DeBoer	Hansen, M.	McKinney	Walz
Blood	Dorn	Hilgers	Morfeld	Wayne
Bostar	Erdman	Hilkemann	Moser	Williams
Bostelman	Flood	Hughes	Murman	Wishart
Brandt	Friesen	Kolterman	Pahls	
Briese	Geist	Lathrop	Pansing Brooks	
Cavanaugh, J.	Gragert	Lindstrom	Sanders	
Cavanaugh, M.	Groene	Linehan	Slama	

Voting in the negative, 0.

Present and not voting, 1:

McDonnell

Excused and not voting, 2:

Brewer Hunt

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 343.

A BILL FOR AN ACT relating to the Motor Vehicle Certificate of Title Act; to amend section 60-146, Revised Statutes Cumulative Supplement, 2020; to change identification inspection provisions; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar	Cavanaugh, M.	Groene	Lindstrom	Pansing Brooks
Albrecht	Clements	Halloran	Linehan	Sanders
Arch	Day	Hansen, B.	Low	Slama
Blood	Dorn	Hansen, M.	McCollister	Stinner
Bostar	Erdman	Hilgers	McKinney	Vargas
Bostelman	Flood	Hilkemann	Morfeld	Walz
Brandt	Friesen	Hughes	Moser	Williams
Briese	Geist	Kolterman	Murman	Wishart
Cavanaugh, J.	Gragert	Lathrop	Pahls	

Voting in the negative, 0.

Present and not voting, 3:

DeBoer McDonnell Wayne

Excused and not voting, 2:

Brewer Hunt

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 372.

A BILL FOR AN ACT relating to the Nebraska Crime Victim's Reparations Act; to amend sections 81-1807 and 81-1821, Reissue Revised Statutes of Nebraska; to change provisions relating to applications and a statute of limitations; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Clements	Halloran	Lowe	Slama
Albrecht	Day	Hansen, B.	McCollister	Stinner
Arch	DeBoer	Hansen, M.	McDonnell	Vargas
Blood	Dorn	Hilgers	McKinney	Walz
Bostar	Erdman	Hilkemann	Morfeld	Wayne
Bostelman	Flood	Hughes	Moser	Williams
Brandt	Friesen	Kolterman	Murman	Wishart
Briese	Geist	Lathrop	Pahls	
Cavanaugh, J.	Gragert	Lindstrom	Pansing Brooks	
Cavanaugh, M.	Groene	Linehan	Sanders	

Voting in the negative, 0.

Excused and not voting, 2:

Brewer Hunt

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 466.

A BILL FOR AN ACT relating to revenue and taxation; to require the proration of property taxes when residential real property is sold as prescribed.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Clements	Halloran	Lowe	Slama
Albrecht	Day	Hansen, B.	McCollister	Stinner
Arch	DeBoer	Hansen, M.	McDonnell	Vargas
Blood	Dorn	Hilgers	McKinney	Walz
Bostar	Erdman	Hilkemann	Morfeld	Wayne
Bostelman	Flood	Hughes	Moser	Williams
Brandt	Friesen	Kolterman	Murman	Wishart
Briese	Geist	Lathrop	Pahls	
Cavanaugh, J.	Gragert	Lindstrom	Pansing Brooks	
Cavanaugh, M.	Groene	Linehan	Sanders	

Voting in the negative, 0.

Excused and not voting, 2:

Brewer Hunt

A constitutional majority having voted in the affirmative, the bill was

declared passed and the title agreed to.

LEGISLATIVE BILL 616.

A BILL FOR AN ACT relating to abandoned motor vehicles; to amend sections 60-1902, 60-1903, and 60-1903.01, Reissue Revised Statutes of Nebraska, and section 60-1901, Revised Statutes Cumulative Supplement, 2020; to change provisions regarding vesting of title and notification of disposition; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar	Clements	Halloran	Linehan	Pansing Brooks
Albrecht	Day	Hansen, B.	Lowe	Sanders
Arch	DeBoer	Hansen, M.	McCollister	Slama
Blood	Dorn	Hilgers	McDonnell	Stinner
Bostar	Erdman	Hilkemann	McKinney	Vargas
Bostelman	Friesen	Hughes	Morfeld	Walz
Brandt	Geist	Kolterman	Moser	Wayne
Briese	Gragert	Lathrop	Murman	Williams
Cavanaugh, J.	Groene	Lindstrom	Pahls	Wishart

Voting in the negative, 0.

Present and not voting, 2:

Cavanaugh, M. Flood

Excused and not voting, 2:

Brewer Hunt

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 9. With Emergency Clause.

A BILL FOR AN ACT relating to real property; to amend sections 16-118 and 77-1344, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to annexation of land and the special valuation of agricultural or horticultural land within cities and villages; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

Aguilar	Clements	Hansen, B.	McCollister	Stinner
Albrecht	Day	Hansen, M.	McDonnell	Vargas
Arch	DeBoer	Hilgers	McKinney	Walz
Blood	Dorn	Hilkemann	Morfeld	Wayne
Bostar	Flood	Hughes	Moser	Williams
Bostelman	Friesen	Kolterman	Murman	Wishart
Brandt	Geist	Lathrop	Pahls	
Briese	Gragert	Lindstrom	Pansing Brooks	
Cavanaugh, J.	Groene	Linehan	Sanders	
Cavanaugh, M.	Halloran	Lowe	Slama	

Voting in the negative, 0.

Present and not voting, 1:

Erdman

Excused and not voting, 2:

Brewer Hunt

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB17 with 32 ayes, 9 nays, 6 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 17. With Emergency Clause.

A BILL FOR AN ACT relating to retirement; to amend sections 24-703, 33-106.02, 33-123, 33-124, 33-125, 33-126.02, 33-126.03, 33-126.06, and 79-966.01, Reissue Revised Statutes of Nebraska, and sections 24-701, 24-710, 25-2804, 79-966, and 81-2017, Revised Statutes Cumulative Supplement, 2020; to change fees and distribution of fees for the Nebraska Retirement Fund for Judges; to provide for transfers to the Nebraska Retirement Fund for Judges; to change actuarial valuation provisions and amortization periods in retirement systems under the Judges Retirement Act, the School Employees Retirement Act, and the Nebraska State Patrol Retirement Act; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 33:

Aguilar	Clements	Halloran	Linehan	Stinner
Arch	Day	Hansen, M.	McCollister	Vargas
Blood	DeBoer	Hilkemann	McDonnell	Walz
Bostar	Dorn	Hughes	Morfeld	Williams
Bostelman	Flood	Kolterman	Moser	Wishart
Brandt	Friesen	Lathrop	Pahls	
Briese	Gragert	Lindstrom	Pansing Brooks	

Voting in the negative, 13:

Albrecht	Geist	Hilgers	Murman	Wayne
Cavanaugh, M.	Groene	Lowe	Sanders	
Erdman	Hansen, B.	McKinney	Slama	

Present and not voting, 1:

Cavanaugh, J.

Excused and not voting, 2:

Brewer Hunt

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB81 with 31 ayes, 6 nays, 10 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 81.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend sections 31-727, 31-728, 31-729, 31-739, 31-740, 31-744, and 31-749, Reissue Revised Statutes of Nebraska; to provide powers related to public parking facilities as prescribed; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Aguilar	Clements	Groene	Lindstrom	Pahls
Albrecht	Day	Halloran	Linehan	Sanders
Arch	DeBoer	Hansen, B.	Lowe	Slama
Blood	Dorn	Hilgers	McCollister	Stinner
Bostar	Flood	Hilkemann	McDonnell	Vargas
Bostelman	Friesen	Hughes	Morfeld	Walz
Brandt	Geist	Kolterman	Moser	Williams
Cavanaugh, J.	Gragert	Lathrop	Murman	Wishart

Voting in the negative, 0.

Present and not voting, 7:

Briese	Erdman	McKinney	Wayne
Cavanaugh, M.	Hansen, M.	Pansing Brooks	

Excused and not voting, 2:

Brewer	Hunt
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 143.

A BILL FOR AN ACT relating to juveniles; to amend section 43-285, Revised Statutes Cumulative Supplement, 2020; to require notice of placement change of a juvenile as prescribed; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar	Clements	Hansen, B.	McCollister	Stinner
Albrecht	Day	Hansen, M.	McDonnell	Vargas
Arch	DeBoer	Hilgers	McKinney	Walz
Blood	Dorn	Hilkemann	Morfeld	Wayne
Bostar	Flood	Hughes	Moser	Williams
Bostelman	Friesen	Kolterman	Murman	Wishart
Brandt	Geist	Lathrop	Pahls	
Briese	Gragert	Lindstrom	Pansing Brooks	
Cavanaugh, J.	Groene	Linehan	Sanders	
Cavanaugh, M.	Halloran	Low	Slama	

Voting in the negative, 0.

Present and not voting, 1:

Erdman

Excused and not voting, 2:

Brewer Hunt

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 152. With Emergency Clause.

A BILL FOR AN ACT relating to fireworks; to amend sections 28-1241 and 28-1243, Reissue Revised Statutes of Nebraska; to change provisions relating to classifications of fireworks and the sale and possession of fireworks; to adopt certain provisions of federal law; to define and redefine terms; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 42:

Aguilar	Day	Halloran	Linehan	Slama
Arch	DeBoer	Hansen, B.	Lowe	Vargas
Blood	Dorn	Hansen, M.	McCollister	Walz
Bostar	Erdman	Hilgers	McDonnell	Wayne
Bostelman	Flood	Hilkemann	McKinney	Williams
Brandt	Friesen	Hughes	Morfeld	Wishart
Briese	Geist	Kolterman	Moser	
Cavanaugh, J.	Gragert	Lathrop	Murman	
Clements	Groene	Lindstrom	Pansing Brooks	

Voting in the negative, 3:

Albrecht Sanders Stinner

Present and not voting, 2:

Cavanaugh, M. Pahls

Excused and not voting, 2:

Brewer Hunt

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 154.

A BILL FOR AN ACT relating to the Quality Education Accountability Act; to amend section 79-760.05, Reissue Revised Statutes of Nebraska, and section 79-760.06, Revised Statutes Cumulative Supplement, 2020; to require tracking of student discipline as prescribed; to provide duties; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar	Clements	Hansen, B.	McCollister	Stinner
Albrecht	Day	Hansen, M.	McDonnell	Vargas
Arch	DeBoer	Hilgers	McKinney	Walz
Blood	Dorn	Hilkemann	Morfeld	Wayne
Bostar	Flood	Hughes	Moser	Williams
Bostelman	Friesen	Kolterman	Murman	Wishart
Brandt	Geist	Lathrop	Pahls	
Briese	Gragert	Lindstrom	Pansing Brooks	
Cavanaugh, J.	Groene	Linehan	Sanders	
Cavanaugh, M.	Halloran	Low	Slama	

Voting in the negative, 0.

Present and not voting, 1:

Erdman

Excused and not voting, 2:

Brewer Hunt

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION(S) - Return LB320 to Select File

Senator DeBoer moved to return LB320 to Select File for the following specific amendment:

[FA40](#)

Strike the enacting clause.

Senator DeBoer withdrew her motion to return.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB320 with 33 ayes, 7 nays, 7 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 320.

A BILL FOR AN ACT relating to landlords and tenants; to amend sections 25-21,219, 76-1401, 76-1410, 76-1423, 76-1441, 76-1442.01, 76-1443, 76-1485, 76-1486, 76-1489, and 76-14,101, Reissue Revised Statutes of Nebraska, and section 76-1431, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to forcible entry and detainer actions,

landlords' and tenants' rights and duties regarding violent criminal activity upon a premises, a landlord's right of access, actions for possession under the Uniform Residential Landlord and Tenant Act and the Mobile Home Landlord and Tenant Act, summonses, continuances, return of rental deposits, damages, and the period of time for paying certain overdue rent; to define terms; to provide for the release of a victim of domestic violence from a rental agreement; to require a report by the Supreme Court regarding eviction proceedings; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Aguilar	Cavanaugh, M.	Hansen, B.	McCollister	Slama
Albrecht	Day	Hansen, M.	McDonnell	Stinner
Arch	DeBoer	Hilgers	McKinney	Vargas
Blood	Dorn	Hilkemann	Morfeld	Walz
Bostar	Flood	Hughes	Moser	Wayne
Bostelman	Friesen	Kolterman	Murman	Williams
Brandt	Geist	Lathrop	Pahls	Wishart
Briese	Gragert	Lindstrom	Pansing Brooks	
Cavanaugh, J.	Groene	Linehan	Sanders	

Voting in the negative, 3:

Clements Erdman Lowe

Present and not voting, 1:

Halloran

Excused and not voting, 2:

Brewer Hunt

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 320A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 320, One Hundred Seventh Legislature, First Session, 2021.

Whereupon the President stated: "All provisions of law relative to procedure

having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Aguilar	Cavanaugh, M.	Hansen, B.	McCollister	Slama
Albrecht	Day	Hansen, M.	McDonnell	Stinner
Arch	DeBoer	Hilgers	McKinney	Vargas
Blood	Dorn	Hilkemann	Morfeld	Walz
Bostar	Flood	Hughes	Moser	Wayne
Bostelman	Friesen	Kolterman	Murman	Williams
Brandt	Geist	Lathrop	Pahls	Wishart
Briese	Gragert	Lindstrom	Pansing Brooks	
Cavanaugh, J.	Groene	Linehan	Sanders	

Voting in the negative, 3:

Clements Erdman Lowe

Present and not voting, 1:

Halloran

Excused and not voting, 2:

Brewer Hunt

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 338. With Emergency Clause.

A BILL FOR AN ACT relating to telecommunications and technology; to amend section 86-135, Reissue Revised Statutes of Nebraska, and sections 86-103, 86-316, 86-330, and 86-1102, Revised Statutes Cumulative Supplement, 2020; to redefine a term under the Nebraska Telecommunications Regulation Act; to provide powers and duties to the Public Service Commission relating to broadband infrastructure and speed testing under the Nebraska Telecommunications Universal Service Fund Act; to change provisions relating to the withholding of funding from the Nebraska Telecommunications Universal Service Fund and provide for rural-based plans as prescribed; to change a duty of the Rural Broadband Task Force; to state intent relating to broadband service; to harmonize provisions; to repeal the original sections; to outright repeal section 86-103.01, Reissue Revised Statutes of Nebraska; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

Aguilar	Clements	Hansen, B.	McCollister	Stinner
Albrecht	Day	Hansen, M.	McDonnell	Vargas
Arch	DeBoer	Hilgers	McKinney	Walz
Blood	Dorn	Hilkemann	Morfeld	Wayne
Bostar	Erdman	Hughes	Moser	Williams
Bostelman	Flood	Kolterman	Murman	Wishart
Brandt	Friesen	Lathrop	Pahls	
Briese	Gragert	Lindstrom	Pansing Brooks	
Cavanaugh, J.	Groene	Linehan	Sanders	
Cavanaugh, M.	Halloran	Lowe	Slama	

Voting in the negative, 0.

Present and not voting, 1:

Geist

Excused and not voting, 2:

Brewer Hunt

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 423.

A BILL FOR AN ACT relating to home inspectors; to define terms; to require registration with the Secretary of State; to provide for a fee; to require proof of financial responsibility; to provide a penalty; to provide for rules and regulations; and to provide an operative date.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Aguilar	Cavanaugh, M.	Halloran	McCollister	Vargas
Albrecht	Clements	Hansen, M.	McDonnell	Walz
Arch	Day	Hilgers	McKinney	Wayne
Blood	DeBoer	Hilkemann	Morfeld	Williams
Bostar	Dorn	Hughes	Murman	Wishart
Bostelman	Flood	Kolterman	Pahls	
Brandt	Friesen	Lathrop	Pansing Brooks	
Briese	Geist	Lindstrom	Sanders	
Cavanaugh, J.	Gragert	Linehan	Stinner	

Voting in the negative, 2:

Erdman Slama

Present and not voting, 4:

Groene Hansen, B. Lowe Moser

Excused and not voting, 2:

Brewer Hunt

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 423A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 423, One Hundred Seventh Legislature, First Session, 2021.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Aguilar	Cavanaugh, M.	Halloran	Linehan	Slama
Albrecht	Clements	Hansen, M.	McCollister	Stinner
Arch	Day	Hilgers	McDonnell	Vargas
Blood	DeBoer	Hilkemann	McKinney	Walz
Bostar	Dorn	Hughes	Morfeld	Wayne
Bostelman	Flood	Hunt	Murman	Williams
Brandt	Friesen	Kolterman	Pahls	Wishart
Briese	Geist	Lathrop	Pansing Brooks	
Cavanaugh, J.	Gragert	Lindstrom	Sanders	

Voting in the negative, 2:

Erdman Groene

Present and not voting, 3:

Hansen, B. Lowe Moser

Excused and not voting, 1:

Brewer

A constitutional majority having voted in the affirmative, the bill was

declared passed and the title agreed to.

LEGISLATIVE BILL 451.

A BILL FOR AN ACT relating to the Nebraska Fair Employment Practice Act; to amend section 48-1108, Reissue Revised Statutes of Nebraska, and section 48-1102, Revised Statutes Cumulative Supplement, 2020; to define terms; to change provisions relating to racial discrimination and unlawful employment practices; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Aguilar	Cavanaugh, M.	Hansen, B.	Lindstrom	Sanders
Arch	Day	Hansen, M.	Linehan	Slama
Blood	Dorn	Hilgers	McCollister	Stinner
Bostar	Flood	Hilkemann	McDonnell	Vargas
Bostelman	Geist	Hughes	McKinney	Walz
Brandt	Gragert	Hunt	Morfeld	Wayne
Briese	Groene	Kolterman	Pahls	Williams
Cavanaugh, J.	Halloran	Lathrop	Pansing Brooks	Wishart

Voting in the negative, 4:

Albrecht	Clements	Erdman	Lowe
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Present and not voting, 4:

DeBoer	Friesen	Moser	Murman
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Excused and not voting, 1:

Brewer

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 497.

A BILL FOR AN ACT relating to the Nebraska Crime Victim's Reparations Act; to amend sections 81-1801, 81-1807, 81-1808, and 81-1815, Reissue Revised Statutes of Nebraska; to define terms; to provide for compensation for health care providers for costs incurred for examining or treating victims of sexual assault, domestic assault, or child abuse; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure

having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Clements	Halloran	Lowe	Slama
Albrecht	Day	Hansen, B.	McCollister	Stinner
Arch	DeBoer	Hansen, M.	McDonnell	Vargas
Blood	Dorn	Hilgers	McKinney	Walz
Bostar	Erdman	Hilkemann	Morfeld	Wayne
Bostelman	Flood	Hunt	Moser	Williams
Brandt	Friesen	Kolterman	Murman	Wishart
Briese	Geist	Lathrop	Pahls	
Cavanaugh, J.	Gragert	Lindstrom	Pansing Brooks	
Cavanaugh, M.	Groene	Linehan	Sanders	

Voting in the negative, 0.

Present and not voting, 1:

Hughes

Excused and not voting, 1:

Brewer

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 500.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-1301, Reissue Revised Statutes of Nebraska; to provide venue for prosecution of offenses committed using an electronic communication device; to define terms; to harmonize provisions; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Clements	Halloran	Linehan	Sanders
Albrecht	Day	Hansen, B.	Lowe	Slama
Arch	DeBoer	Hansen, M.	McCollister	Vargas
Blood	Dorn	Hilgers	McDonnell	Walz
Bostar	Erdman	Hilkemann	McKinney	Wayne
Bostelman	Flood	Hughes	Morfeld	Williams
Brandt	Friesen	Hunt	Moser	Wishart
Briese	Geist	Kolterman	Murman	
Cavanaugh, J.	Gragert	Lathrop	Pahls	
Cavanaugh, M.	Groene	Lindstrom	Pansing Brooks	

Voting in the negative, 0.

Present and not voting, 1:

Stinner

Excused and not voting, 1:

Brewer

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB501 with 34 ayes, 7 nays, 7 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 501.

A BILL FOR AN ACT relating to legal process; to amend section 30-24,129, Reissue Revised Statutes of Nebraska, and section 68-919, Revised Statutes Cumulative Supplement, 2020; to adopt the Uniform Foreign-Country Money Judgments Recognition Act, the Uniform Registration of Canadian Money Judgments Act, the Uniform Powers of Appointment Act, and the Uniform Easement Relocation Act; to change provisions relating to succession to real property; to redefine estate of a recipient of medical assistance for purposes of claims against a medical assistance recipient; to provide severability; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Clements	Hansen, B.	Lowe	Slama
Albrecht	Day	Hansen, M.	McCollister	Stinner
Arch	DeBoer	Hilgers	McDonnell	Vargas
Blood	Dorn	Hilkemann	McKinney	Walz
Bostar	Erdman	Hughes	Morfeld	Wayne
Bostelman	Flood	Hunt	Moser	Williams
Brandt	Friesen	Kolterman	Murman	Wishart
Briese	Geist	Lathrop	Pahls	
Cavanaugh, J.	Gragert	Lindstrom	Pansing Brooks	
Cavanaugh, M.	Halloran	Linehan	Sanders	

Voting in the negative, 0.

Present and not voting, 1:

Groene

Excused and not voting, 1:

Brewer

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 507. With Emergency Clause.

A BILL FOR AN ACT relating to the regulation of resources; to amend sections 37-448, 37-456, and 66-1330, Reissue Revised Statutes of Nebraska, and sections 37-201, 46-102, and 61-222, Revised Statutes Cumulative Supplement, 2020; to provide for and change provisions relating to hunting permits; to provide powers and duties for the Game and Parks Commission; to redefine elector under the Irrigation District Act; to change provisions relating to the use of the Water Sustainability Fund; to prohibit the use of treated seed in the production of agricultural ethyl alcohol as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 48:

Aguilar	Clements	Halloran	Linehan	Sanders
Albrecht	Day	Hansen, B.	Lowe	Slama
Arch	DeBoer	Hansen, M.	McCollister	Stinner
Blood	Dorn	Hilgers	McDonnell	Vargas
Bostar	Erdman	Hilkemann	McKinney	Walz
Bostelman	Flood	Hughes	Morfeld	Wayne
Brandt	Friesen	Hunt	Moser	Williams
Briese	Geist	Kolterman	Murman	Wishart
Cavanaugh, J.	Gragert	Lathrop	Pahls	
Cavanaugh, M.	Groene	Lindstrom	Pansing Brooks	

Voting in the negative, 0.

Excused and not voting, 1:

Brewer

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB583 with 33 ayes, 7 nays, 8 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 583.

A BILL FOR AN ACT relating to prescriptions; to amend sections 28-414, 28-414.01, 38-101, 38-2870, and 38-2891, Revised Statutes Cumulative Supplement, 2020; to define a term; to require electronic issuance of prescriptions for controlled substances; to provide exceptions; to harmonize provisions; to provide an operative date; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 48:

Aguilar	Clements	Halloran	Linehan	Sanders
Albrecht	Day	Hansen, B.	Lowe	Slama
Arch	DeBoer	Hansen, M.	McCollister	Stinner
Blood	Dorn	Hilgers	McDonnell	Vargas
Bostar	Erdman	Hilkemann	McKinney	Walz
Bostelman	Flood	Hughes	Morfeld	Wayne
Brandt	Friesen	Hunt	Moser	Williams
Briese	Geist	Kolterman	Murman	Wishart
Cavanaugh, J.	Gragert	Lathrop	Pahls	
Cavanaugh, M.	Groene	Lindstrom	Pansing Brooks	

Voting in the negative, 0.

Excused and not voting, 1:

Brewer

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 58, 63, 181, 343, 372, 466, 616, 9, 17, 81, 143, 152, 154, 320, 320A, 338, 423, 423A, 451, 497, 500, 501, 507, 583.

GENERAL FILE

LEGISLATIVE BILL 336. Title read. Considered.

Committee [AM380](#), found on page 621, was adopted with 35 ayes, 0 nays, 13 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 11 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 406. Title read. Considered.

Committee [AM1092](#), found on page 1103, was offered.

Senator Hilgers offered his amendment, [FA38](#), found on page 1183, to the committee amendment.

The Hilgers amendment was adopted with 40 ayes, 2 nays, 6 present and not voting, and 1 excused and not voting.

SPEAKER HILGERS PRESIDING

The committee amendment, as amended, was adopted with 43 ayes, 2 nays, 3 present and not voting, and 1 excused and not voting.

Senator McDonnell withdrew his amendments, [AM848](#) and [AM1001](#), found on page 864 and 1039.

Advanced to Enrollment and Review Initial with 42 ayes, 2 nays, 4 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 406A. Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 3 nays, 9 present and not voting, and 1 excused and not voting.

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to [LB528](#):

[AM1190](#)

(Amendments to Standing Committee amendments, AM556)

- 1 1. Insert the following new section:
- 2 Sec. 20. Section 79-236, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 79-236 Beginning with the 1993-94 school year and ending with the
- 5 2021-22 school year, the enrollment option program shall be implemented
- 6 by all public school districts. The enrollment option program shall
- 7 terminate on July 1, 2022.
- 8 2. Renumber the remaining sections and correct internal references
- 9 and the repealer accordingly.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 260. Placed on Final Reading.

LEGISLATIVE BILL 271. Placed on Final Reading.

LEGISLATIVE BILL 271A. Placed on Final Reading.

LEGISLATIVE BILL 411. Placed on Final Reading.

[ST16](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, the matter beginning with "the" in line 1 through line 5 has been struck and "health information; to amend sections 81-6,125 and 81-6,128, Revised Statutes Cumulative Supplement, 2020; to require the provision and sharing of information by health care facilities and health insurance plans; to change provisions relating to the Health Information Technology Board; to repeal the original sections; and to declare an emergency." inserted.

(Signed) Terrell McKinney, Chairperson

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 29, 2021, at 10:36 a.m. were the following: LBs 58, 63, 181e, 343, 372, 466, 616, 9e, 17e, 81, 143, 152e, 154, 320, 320A, 338e, 423, 423A, 451, 497, 500, 501, 507e and 583.

(Signed) Jamie Leishman
Clerk of the Legislature's Office

BILL ON FIRST READING

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

LEGISLATIVE BILL 454A. Introduced by Friesen, 34.

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

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Day name added to LB392.
Senator Sanders name added to LB406.

RECESS

At 11:58 a.m., on a motion by Senator Stinner, the Legislature recessed until 1:00 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 Senator Brewer who was excused; and Senators Bostar, McCollister, Pansing Brooks, Vargas, Walz, Williams, and Wishart who were excused until they arrive.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 114. Introduced by Education Committee: Walz, 15, Chairperson; Day, 49; Linehan, 39; McKinney, 11; Morfeld, 46; Murman, 38; Pansing Brooks, 28; Sanders, 45.

WHEREAS, teachers make all schools great, including early childhood, elementary, secondary, and postsecondary; and

WHEREAS, teachers spend countless hours preparing lessons, evaluating progress, and counseling and coaching students; and

WHEREAS, teachers fill many roles such as listeners, explorers, role models, motivators, and mentors; and

WHEREAS, teachers encounter students of widely differing backgrounds; and

WHEREAS, teachers went beyond expectations during the recent pandemic; and

WHEREAS, teachers open minds to ideas, knowledge, and dreams; and

WHEREAS, teachers mold future citizens through guidance and education; and

WHEREAS, teachers keep American democracy alive by laying the foundation for good citizenship; and

WHEREAS, our country's future depends upon providing quality education to all students; and

WHEREAS, the influence of teachers continues long after school days are only distant memories.

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

1. The Legislature recognizes May 4, 2021, as National Teacher Appreciation Day.

2. The Legislature urges Nebraskans to observe this day by taking time to recognize and acknowledge the impact of teachers on our lives.

3. The Legislature encourages all members of our state to join with us in expressing appreciation to our teachers for their dedication and devotion to their work.

Laid over.

BILL ON FIRST READING

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

LEGISLATIVE BILL 496A. Introduced by Hilkemann, 4.

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

ANNOUNCEMENT

Senator Erdman announced the birthday of Senator McCollister.

GENERAL FILE

LEGISLATIVE BILL 103. Title read. Considered.

Committee [AM588](#), found on page 651, was offered.

Senator Groene offered his amendment, [AM1107](#), found on page 1167, to the committee amendment.

SENATOR HUGHES PRESIDING**SPEAKER HILGERS PRESIDING**

Senator Groene withdrew his amendment.

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

[FA42](#)

Amend AM588

There is hereby appropriated

(1)\$17,000,000 from the General Fund for FY2021-22 and

(2)\$34,000,000 from the General Fund for FY2022-23, for Program 424.

Senator M. Cavanaugh withdrew her amendment.

Senator Dorn offered the following amendment to the committee amendment:

[AM1216](#)

(Amendments to Standing Committee amendments, AM588)

1 1. On page 1, lines 3, 4, 17, and 19, strike "\$5,000,000" and insert

2 "\$2,000,000".

Senator Dorn moved for a call of the house. The motion prevailed with 25 ayes, 2 nays, and 22 not voting.

Senator Dorn requested a roll call vote on his amendment.

Voting in the affirmative, 37:

Albrecht	Day	Halloran	Lindstrom	Slama
Arch	DeBoer	Hansen, B.	Linehan	Walz
Blood	Dorn	Hansen, M.	McCollister	Wayne
Bostar	Erdman	Hilgers	McDonnell	Williams
Bostelman	Flood	Hilkemann	McKinney	Wishart
Brandt	Friesen	Hunt	Morfeld	
Briese	Gragert	Kolterman	Moser	
Cavanaugh, J.	Groene	Lathrop	Murman	

Voting in the negative, 2:

Aguilar Lowe

Present and not voting, 5:

Cavanaugh, M. Clements Geist Hughes Sanders

Excused and not voting, 5:

Brewer Pahls Pansing Brooks Stinner Vargas

The Dorn amendment was adopted with 37 ayes, 2 nays, 5 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

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

Senator M. Cavanaugh requested a roll call vote, in reverse order, on the advancement of the bill.

Advanced to Enrollment and Review Initial with 35 ayes, 3 nays, 6 present and not voting, and 5 excused and not voting.

MOTION(S) - Rerefer LR107 to the Government, Military and Veterans Affairs Committee

Senator Hunt offered her motion, [MO49](#), found on page 1170, to rerefer LR107 to the Government, Military, and Veterans Affairs Committee.

Senator Hunt moved for a call of the house. The motion prevailed with 18 ayes, 5 nays, and 26 not voting.

Senator Hunt requested a roll call vote on the motion to rerefer the resolution.

Voting in the affirmative, 14:

Blood	Day	Hunt	McCollister	Walz
Cavanaugh, J.	DeBoer	Kolterman	McKinney	Wishart
Cavanaugh, M.	Hansen, M.	Lathrop	Morfeld	

Voting in the negative, 24:

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

Present and not voting, 1:

Bostar

Excused and not voting, 10:

Brewer	Erdman	McDonnell	Pansing Brooks	Vargas
Briese	Flood	Pahls	Stinner	Wayne

The Hunt motion to rerefer the resolution failed with 14 ayes, 24 nays, 1 present and not voting, and 10 excused and not voting.

The Chair declared the call raised.

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB388:

AM1197

(Amendments to Standing Committee amendments, AM530)

1 1. Insert the following new sections:

2 Sec. 11. Sections 11 to 19 of this act shall be known and may be
3 cited as the Rural Municipal Broadband Access Act.

4 Sec. 12. The Legislature finds that many rural municipalities lack
5 access to quality broadband services and Internet services, despite
6 significant private, local, state, and federal investment in the
7 development of broadband in Nebraska.

8 Sec. 13. For purposes of the Rural Municipal Broadband Access Act:

9 (1) Broadband services has the same meaning as in section 86-593;

10 (2) Existing provider means a broadband Internet service provider,
11 including any telecommunications company, cable television company, or
12 wireless network provider that provides broadband services or Internet
13 services within the corporate limits and extraterritorial zoning
14 jurisdiction of a municipality;

15 (3) Governing body means the city council of a city of the first
16 class or city of the second class or the board of trustees of a village;

17 (4) Internet services has the same meaning as in section 86-593;

18 (5) Municipality means any city of the first class, city of the
19 second class, or village;

20 (6) Underserved area means a geographical area of the state which
21 lacks broadband Internet service providing access to the Internet at

22 speeds of at least one hundred megabits per second for downloading and
23 twenty megabits per second for uploading; and
24 (7) Unserved area means a geographical area of the state which lacks
25 broadband Internet service providing access to the Internet at speeds of
26 at least twenty-five megabits per second for downloading and three
1 megabits per second for uploading.
2 Sec. 14. (1) Beginning January 1, 2024, a municipality may provide
3 broadband services or Internet services on a retail or wholesale basis
4 within the corporate limits and extraterritorial zoning jurisdiction of
5 such municipality if such municipality is located in an underserved or
6 unserved area and meets the requirements of the Rural Municipal Broadband
7 Access Act.
8 (2) A municipality may initiate the process of developing a
9 broadband network by conducting a feasibility study and ordering the
10 preparation of a resolution of intent to develop such broadband network
11 in accordance with section 15 of this act by a vote of the majority of
12 the members of the governing body of the municipality.
13 Sec. 15. (1) The proposed resolution of intent to develop a
14 broadband network described in section 14 of this act shall contain and
15 set forth the following:
16 (a) A declaration that the municipality is located in either an
17 underserved area or unserved area;
18 (b) A list of all existing providers that currently provide
19 broadband services or Internet services within the corporate limits and
20 extraterritorial zoning jurisdiction of the municipality;
21 (c) A description of any acts or omissions of any existing provider
22 that have resulted in the municipality being located in an underserved
23 area or unserved area;
24 (d) A comparison of the rates charged by existing providers for
25 broadband services or Internet services within the corporate limits or
26 extraterritorial zoning jurisdiction of the municipality to rates charged
27 in comparably sized municipalities in Nebraska and neighboring states;
28 and
29 (e) A description of any local, state, or federal funds known by the
30 municipality to have been received by any existing provider to expand or
31 supplement the provision of broadband services or Internet services,
1 including funds from the Nebraska Telecommunications Universal Service
2 Fund and funds under the Nebraska Broadband Bridge Act.
3 (2) If the resolution of intent contains any description as set
4 forth in subdivision (1)(c) of this section, the resolution of intent
5 shall describe the efforts by the municipality to inform any such
6 existing provider of the existing provider's acts and omissions and shall
7 describe the opportunities afforded the existing provider to remedy the
8 stated defects.
9 Sec. 16. (1) The feasibility study and proposed resolution of intent
10 to develop a broadband network shall be presented to the governing body
11 of the municipality at a regular meeting of such governing body. At that
12 meeting, the governing body may adopt the resolution of intent and, if it
13 does so, shall set a date for holding a public hearing, which shall be at
14 least forty-five days after the date of the meeting at which the
15 resolution of intent was adopted.
16 (2) Upon the adoption of a resolution of intent, the city clerk or
17 village clerk of the municipality shall transmit a copy of the
18 feasibility study and resolution of intent and notice of the date and
19 time of the public hearing to any existing providers by certified mail,
20 return receipt requested, within seven days after the meeting at which
21 the resolution of intent was adopted.
22 (3) At least thirty days prior to the public hearing, the
23 municipality shall publish notice of the time and place of the public
24 hearing and a summary of the resolution of intent in a legal newspaper

25 published in or of general circulation in the municipality.
26 (4) At the public hearing, any existing provider shall be permitted
27 to respond to the contents of the feasibility study, the statements set
28 out in the resolution of intent, and any comments made at the public
29 hearing.
30 Sec. 17. After the public hearing held pursuant to section 16 of
31 this act, the governing body of the municipality may:
1 (1) By a two-thirds vote of its members, vote to develop a broadband
2 network within the corporate limits and extraterritorial zoning
3 jurisdiction of the municipality; or
4 (2) By a majority vote of its members, submit the question of
5 whether to develop a broadband network within the corporate limits and
6 extraterritorial zoning jurisdiction of the municipality to the
7 registered voters of the city as provided in section 18 of this act.
8 Sec. 18. (1) After conducting a feasibility study and holding a
9 public hearing on a resolution of intent as provided in the Rural
10 Municipal Broadband Access Act, the governing body of a municipality may
11 submit to the registered voters of the municipality at any general or
12 special municipal election the question of whether the municipality
13 should develop a broadband network under the act. The ballot language
14 shall be in the following form:
15 Shall the city or village of (name of city or village) develop a
16 broadband network under the Rural Municipal Broadband Access Act to
17 provide broadband services or Internet services on a retail or wholesale
18 basis within the corporate limits and extraterritorial zoning
19 jurisdiction of the city or village?
20 (2) The municipality shall submit the question to the registered
21 voters in the manner prescribed in the Election Act. The question may be
22 placed before the registered voters of the municipality at any general or
23 special municipal election called for the purpose and may be submitted in
24 connection with any municipal special election called for any other
25 purpose. The votes cast on the question shall be canvassed and the result
26 found and declared as prescribed in the Election Act.
27 (3) If a majority of the votes cast upon the question are in favor,
28 then the municipality shall be authorized to provide broadband services
29 or Internet services on a retail or wholesale basis within the corporate
30 limits and extraterritorial zoning jurisdiction of such municipality.
31 Sec. 19. (1) A municipality which develops a broadband network under
1 the Rural Municipal Broadband Access Act shall ensure that such broadband
2 network provides access to the Internet at speeds of one hundred megabits
3 per second or greater for downloading and one hundred megabits per second
4 or greater for uploading.
5 (2) A municipality shall not develop a broadband network under the
6 Rural Municipal Broadband Access Act on or after January 1, 2034, except
7 that a municipality may continue to provide broadband services or
8 Internet services after such date using any broadband network developed
9 by such municipality prior to January 1, 2034.
10 Sec. 20. Section 86-594, Reissue Revised Statutes of Nebraska, is
11 amended to read:
12 86-594 (1) Except as provided in the Educational Service Units Act,
13 the Rural Municipal Broadband Access Act, and sections 79-1319,
14 81-1120.01 to 81-1120.28, 85-401 to 85-418, 85-1501 to 85-1542, and
15 86-575, an agency or political subdivision of the state that is not a
16 public power supplier shall not provide on a retail or wholesale basis
17 any broadband services, Internet services, telecommunications services,
18 or video services.
19 (2) The provisions of subsection (1) of this section shall not apply
20 to services which an agency or political subdivision of the state was
21 authorized to provide and was providing prior to January 1, 2005.
22 Sec. 21. The Revisor of Statutes shall assign sections 11 to 19 of

- 23 this act to Chapter 19.
 24 Sec. 22. Original section 86-594, Reissue Revised Statutes of
 25 Nebraska, is repealed.
 26 2. Renumber the remaining section accordingly.

Senator Wayne filed the following amendment to LB131A:

[AM1188](#)

- 1 1. Insert the following new section:
 2 Sec. 2. The State Treasurer shall transfer \$10,000,000 from the
 3 General Fund to the Municipal Natural Gas System Emergency Assistance
 4 Fund on or after July 1, 2021, on such dates and in such amounts as
 5 directed by the budget administrator of the budget division of the
 6 Department of Administrative Services.
 7 2. Renumber the remaining section accordingly.

Senator Linehan filed the following amendment to LB132:

[AM1203](#)

(Amendments to Standing Committee amendments, AM555)

- 1 1. Strike section 1.
 2 2. Renumber the remaining sections accordingly.

Senator DeBoer filed the following amendment to LB132:

[AM1199](#)

(Amendments to Standing Committee amendments, AM555)

- 1 1. On page 1, line 4, strike "twenty-one" and insert "twenty-two";
 2 in line 8 strike "Three" and insert "Four"; and strike beginning with the
 3 comma in line 9 through "Legislature" in line 12.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 115. Introduced by Lowe, 37.

PURPOSE: The purpose of this interim study is to examine and review liquor laws in Nebraska, including the Nebraska Liquor Control Act, to determine if any updates or revisions are necessary. The study shall include, but not be limited to, an examination of:

- (1) Laws relating to the manufacture, sale, and distribution of alcoholic liquor;
- (2) The types of licenses issued by the Nebraska Liquor Control Commission, including special designated liquor licenses; and
- (3) Any taxes and fees collected by the Nebraska Liquor Control Commission.

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

1. That the General Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 452. Placed on Select File with amendment.

[ER79](#)

1 1. On page 1, strike beginning with "adopt" in line 1 through line 2
2 and insert "amend section 79-729, Reissue Revised Statutes of Nebraska,
3 and sections 79-760.01 and 79-760.02, Revised Statutes Cumulative
4 Supplement, 2020; to adopt the Financial Literacy Act; to provide a
5 graduation requirement; to change duties relating to academic content
6 standards; to harmonize provisions; and to repeal the original
7 sections."

LEGISLATIVE BILL 452A. Placed on Select File.

LEGISLATIVE BILL 306. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Executive Board
Room 1524

Thursday, May 6, 2021 12:00 p.m.

LR107

(Signed) Dan Hughes, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Lindstrom name added to LB649.

ADJOURNMENT

At 3:51 p.m., on a motion by Senator Kolterman, the Legislature adjourned until 10:00 a.m., Tuesday, May 4, 2021.

Patrick J. O'Donnell
Clerk of the Legislature

