

**SEVENTY-SIXTH DAY - MAY 11, 2021**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION**

**SEVENTY-SIXTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, May 11, 2021

**PRAYER**

The prayer was offered by Senator Clements.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Blood.

**ROLL CALL**

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

The roll was called and all members were present except Senator Hunt who was excused; and Senators Geist, B. Hansen, Lathrop, Pansing Brooks, Sanders, Vargas, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the seventy-fifth day was approved.

**GENERAL FILE**

**LEGISLATIVE BILL 147A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 26 ayes, 3 nays, 11 present and not voting, and 9 excused and not voting.

**LEGISLATIVE BILL 432A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 529A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 15 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 649A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 1 nay, 8 present and not voting, and 4 excused and not voting.

#### SELECT FILE

**LEGISLATIVE BILL 64.** Senator Friesen offered the following amendment:

[AM1359](#) is available in the Bill Room.

Senator Friesen withdrew his amendment.

Senator Stinner offered the following amendment:

[AM1360](#)

(Amendments to Standing Committee amendments, AM473)

- 1 1. On page 8, line 25, after the semicolon insert "and"; in line 27
- 2 strike "and before January 1, 2026,"; in line 28 strike the semicolon and
- 3 insert an underscored period; after line 28 insert the following new
- 4 subdivision:
- 5 "(b) It is the intent of the Legislature to enact legislation within
- 6 five years after the effective date of this act to increase the
- 7 percentage of social security benefits that are excluded under this
- 8 subsection to (i) sixty percent for taxable years beginning or deemed to
- 9 begin on or after January 1, 2026, and before January 1, 2027, under the
- 10 Internal Revenue Code of 1986, as amended, (ii) seventy percent for
- 11 taxable years beginning or deemed to begin on or after January 1, 2027,
- 12 and before January 1, 2028, under the Internal Revenue Code of 1986, as
- 13 amended, (iii) eighty percent for taxable years beginning or deemed to
- 14 begin on or after January 1, 2028, and before January 1, 2029, under the
- 15 Internal Revenue Code of 1986, as amended, (iv) ninety percent for
- 16 taxable years beginning or deemed to begin on or after January 1, 2029,
- 17 and before January 1, 2030, under the Internal Revenue Code of 1986, as
- 18 amended, and (v) one hundred percent for taxable years beginning or
- 19 deemed to begin on or after January 1, 2030, under the Internal Revenue
- 20 Code of 1986, as amended."; and strike lines 29 through 31.
- 21 2. On page 9, strike lines 1 through 12.
- 22 3. Reletter the remaining subdivisions accordingly.

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

Senator Lindstrom requested a roll call vote on the advancement of the bill.

Advanced to Enrollment and Review for Engrossment with 44 ayes, 0 nays, 2 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 432.** [ER76](#), found on page 1177, was adopted.

Senator Linehan withdrew her amendment, [AM1080](#), found on page 1134.

Senator Williams offered his amendment, [AM1127](#), found on page 1138.

The Williams amendment was adopted with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

Senator M. Cavanaugh offered her amendment, [AM1313](#), found on page 1366.

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

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

Voting in the affirmative, 5:

Blood          Cavanaugh, J.    Cavanaugh, M.    Hansen, M.    McKinney

Voting in the negative, 23:

Aguilar	Dorn	Groene	Lowe	Slama
Albrecht	Erdman	Halloran	McDonnell	Stinner
Arch	Flood	Hansen, B.	Moser	Williams
Bostelman	Friesen	Hughes	Murman	
Clements	Gragert	Linehan	Sanders	

Present and not voting, 18:

Bostar	DeBoer	Kolterman	Morfeld	Wayne
Brandt	Geist	Lathrop	Pahls	Wishart
Briese	Hilgers	Lindstrom	Pansing Brooks	
Day	Hilkemann	McCollister	Walz	

Excused and not voting, 3:

Brewer          Hunt                  Vargas

The M. Cavanaugh amendment lost with 5 ayes, 23 nays, 18 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Linehan offered the following amendment:

[AM1182](#)

(Amendments to E&R amendments, ER76)

1 1. On page 4, line 18, strike "no later than January 1, 2022".

2 2. On page 5, strike beginning with "Beginning" in line 2 through  
3 "2023" in line 3 and insert "On or before December 1, 2023, and on or  
4 before December 1 of each year thereafter".

The Linehan amendment was adopted with 39 ayes, 0 nays, 7 present and not voting, and 3 excused and not voting.

Senator J. Cavanaugh offered the following amendment:

[AM1346](#)

(Amendments to E&R amendments, ER76)

- 1 1. Strike section 12.
- 2 2. Renumber the remaining sections and correct the repealer
- 3 accordingly.

Pending.

#### **NOTICE OF COMMITTEE HEARING(S)**

Government, Military and Veterans Affairs  
Room 1525

Tuesday, May 18, 2021 12:00 p.m.  
LR128

(Signed) Tom Brewer, Chairperson

#### **SELECT FILE**

**LEGISLATIVE BILL 432.** Senator J. Cavanaugh renewed his amendment, [AM1346](#), found in this day's Journal.

Pending.

#### **REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LR130	Executive Board

(Signed) Dan Hughes, Chairperson  
Executive Board

#### **UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Hansen, M. name added to LB64.

**RECESS**

At 11:59 a.m., on a motion by Senator Albrecht, 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 Groene, Hilkemann, Morfeld, Pansing Brooks, Wayne, and Wishart who were excused until they arrive.

**SENATOR WILLIAMS PRESIDING****COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 100.** Placed on Final Reading Second.

**LEGISLATIVE BILL 561.** Placed on Final Reading Second.

(Signed) Terrell McKinney, Chairperson

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

Senator McDonnell filed the following amendment to [LB566](#):

[AM1345](#)

(Amendments to E & R amendments, ER85)

- 1 1. On page 2, line 5, strike "Owns" and insert "Operates"; in line 9 strike "at least twelve" and insert "multiple"; and in line 27 after 3 "begin" insert "or resume".
- 4 2. On page 3, line 11, strike "appropriations" and insert 5 "funding"; in line 17 after the second "million" insert "five hundred 6 thousand"; and in line 30 after "begin" insert "or resume".
- 7 3. On page 4, line 15, strike "twenty-five" and insert "fifteen"; 8 in line 16 strike "seventy-five million dollars of" and insert "an 9 additional amount of federal funds, subject to the appropriations 10 process, up to the amount needed to fully fund all approved grants, 11 from"; and in line 20 after "permitted" insert "under section 9901 of the 12 American Rescue Plan Act of 2021".

**SELECT FILE**

**LEGISLATIVE BILL 432.** Speaker Hilgers requested to pass over LB432.

**LEGISLATIVE BILL 595.** [ER75](#), found on page 1177, was adopted.

Senator Albrecht offered her amendment, [AM1227](#), found on page 1233.

**SPEAKER HILGERS PRESIDING**

The Albrecht amendment was adopted with 31 ayes, 0 nays, 13 present and not voting, and 5 excused and not voting.

Senator Flood withdrew his amendment, [AM1225](#), found on page 1284.

Senator Linehan offered her amendment, [AM1250](#), found on page 1334.

The Linehan amendment was adopted with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

Senator Flood offered his amendment, [AM811](#), found on page 1366.

Senator Flood withdrew his amendment.

Senator M. Cavanaugh offered the following motion:

[MO64](#)

Bracket until May 20, 2021.

Senator M. Cavanaugh withdrew her motion to bracket.

**SENATOR WILLIAMS PRESIDING**

Senator M. Cavanaugh requested a record vote on the advancement of the bill.

Voting in the affirmative, 37:

Aguilar	Briese	Groene	Lathrop	Pahls
Albrecht	Clements	Halloran	Lindstrom	Sanders
Arch	Day	Hansen, B.	Linehan	Slama
Blood	Dorn	Hilgers	Lowe	Stinner
Bostar	Erdman	Hilkemann	McCollister	Williams
Bostelman	Friesen	Hughes	McDonnell	
Brandt	Geist	Hunt	Moser	
Brewer	Gragert	Kolterman	Murman	

Voting in the negative, 0.

Present and not voting, 10:

Cavanaugh, J.	DeBoer	Hansen, M.	Morfeld	Vargas
Cavanaugh, M.	Flood	McKinney	Pansing Brooks	Walz

Excused and not voting, 2:

Wayne	Wishart
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Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 10 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 432.** Senator J. Cavanaugh withdrew his amendment, [AM1346](#), found and considered in this day's Journal.

Senator M. Cavanaugh offered the following amendment:

[FA45](#)

Strike section 10.

The M. Cavanaugh amendment was lost with 8 ayes, 20 nays, 20 present and not voting, and 1 excused and not voting.

Senator McDonnell offered the following amendment:

[AM1370](#)

(Amendments to E&R amendments, ER76)

1 1. Insert the following new sections:

2 Sec. 10. Section 13-520, Revised Statutes Cumulative Supplement,

3 2020, is amended to read:

4 13-520 The limitations in section 13-519 shall not apply to (1)

5 restricted funds budgeted for capital improvements, (2) restricted funds

6 expended from a qualified sinking fund for acquisition or replacement of

7 tangible personal property with a useful life of five years or more, (3)

8 restricted funds pledged to retire bonds as defined in subdivision (1) of

9 section 10-134 and approved according to law, (4) restricted funds used

10 by a public airport to retire interest-free loans from the Division of

11 Aeronautics of the Department of Transportation in lieu of bonded

12 indebtedness at a lower cost to the public airport, (5) restricted funds

13 budgeted in support of a service which is the subject of an agreement or

14 a modification of an existing agreement whether operated by one of the

15 parties to the agreement or by an independent joint entity or joint

16 public agency, (6) restricted funds budgeted to pay for repairs to

17 infrastructure damaged by a natural disaster which is declared a disaster

18 emergency pursuant to the Emergency Management Act, (7) restricted funds

19 budgeted to pay for judgments, except judgments or orders from the

20 Commission of Industrial Relations, obtained against a governmental unit

21 which require or obligate a governmental unit to pay such judgment, to

22 the extent such judgment is not paid by liability insurance coverage of a

23 governmental unit, (8) restricted funds budgeted to pay benefits under

24 the Firefighter Cancer Benefits Act, or (9) ~~(8)~~ the dollar amount by

25 which restricted funds budgeted by a natural resources district to

26 administer and implement ground water management activities and

1 integrated management activities under the Nebraska Ground Water

2 Management and Protection Act exceed its restricted funds budgeted to

3 administer and implement ground water management activities and

4 integrated management activities for FY2003-04.

5 Sec. 14. Section 77-3442, Revised Statutes Cumulative Supplement,

6 2020, is amended to read:

7 77-3442 (1) Property tax levies for the support of local governments

8 for fiscal years beginning on or after July 1, 1998, shall be limited to

9 the amounts set forth in this section except as provided in section

10 77-3444.

11 (2)(a) Except as provided in subdivisions (2)(b) and (2)(e) of this

12 section, school districts and multiple-district school systems may levy a

13 maximum levy of one dollar and five cents per one hundred dollars of

14 taxable valuation of property subject to the levy.

15 (b) For each fiscal year prior to fiscal year 2017-18, learning

16 communities may levy a maximum levy for the general fund budgets of  
17 member school districts of ninety-five cents per one hundred dollars of  
18 taxable valuation of property subject to the levy. The proceeds from the  
19 levy pursuant to this subdivision shall be distributed pursuant to  
20 section 79-1073.

21 (c) Except as provided in subdivision (2)(e) of this section, for  
22 each fiscal year prior to fiscal year 2017-18, school districts that are  
23 members of learning communities may levy for purposes of such districts'  
24 general fund budget and special building funds a maximum combined levy of  
25 the difference of one dollar and five cents on each one hundred dollars  
26 of taxable property subject to the levy minus the learning community levy  
27 pursuant to subdivision (2)(b) of this section for such learning  
28 community.

29 (d) Excluded from the limitations in subdivisions (2)(a) and (2)(c)  
30 of this section are (i) amounts levied to pay for current and future sums  
31 agreed to be paid by a school district to certificated employees in  
1 exchange for a voluntary termination of employment occurring prior to  
2 September 1, 2017, (ii) amounts levied by a school district otherwise at  
3 the maximum levy pursuant to subdivision (2)(a) of this section to pay  
4 for current and future qualified voluntary termination incentives for  
5 certificated teachers pursuant to subsection (3) of section 79-8,142 that  
6 are not otherwise included in an exclusion pursuant to subdivision (2)(d)  
7 of this section, (iii) amounts levied by a school district otherwise at  
8 the maximum levy pursuant to subdivision (2)(a) of this section to pay  
9 for seventy-five percent of the current and future sums agreed to be paid  
10 to certificated employees in exchange for a voluntary termination of  
11 employment occurring between September 1, 2017, and August 31, 2018, as a  
12 result of a collective-bargaining agreement in force and effect on  
13 September 1, 2017, that are not otherwise included in an exclusion  
14 pursuant to subdivision (2)(d) of this section, (iv) amounts levied by a  
15 school district otherwise at the maximum levy pursuant to subdivision (2)  
16 (a) of this section to pay for fifty percent of the current and future  
17 sums agreed to be paid to certificated employees in exchange for a  
18 voluntary termination of employment occurring between September 1, 2018,  
19 and August 31, 2019, as a result of a collective-bargaining agreement in  
20 force and effect on September 1, 2017, that are not otherwise included in  
21 an exclusion pursuant to subdivision (2)(d) of this section, (v) amounts  
22 levied by a school district otherwise at the maximum levy pursuant to  
23 subdivision (2)(a) of this section to pay for twenty-five percent of the  
24 current and future sums agreed to be paid to certificated employees in  
25 exchange for a voluntary termination of employment occurring between  
26 September 1, 2019, and August 31, 2020, as a result of a collective-  
27 bargaining agreement in force and effect on September 1, 2017, that are  
28 not otherwise included in an exclusion pursuant to subdivision (2)(d) of  
29 this section, (vi) amounts levied in compliance with sections 79-10,110  
30 and 79-10,110.02, and (vii) amounts levied to pay for special building  
31 funds and sinking funds established for projects commenced prior to April  
1 1, 1996, for construction, expansion, or alteration of school district  
2 buildings. For purposes of this subsection, commenced means any action  
3 taken by the school board on the record which commits the board to expend  
4 district funds in planning, constructing, or carrying out the project.

5 (e) Federal aid school districts may exceed the maximum levy  
6 prescribed by subdivision (2)(a) or (2)(c) of this section only to the  
7 extent necessary to qualify to receive federal aid pursuant to Title VIII  
8 of Public Law 103-382, as such title existed on September 1, 2001. For  
9 purposes of this subdivision, federal aid school district means any  
10 school district which receives ten percent or more of the revenue for its  
11 general fund budget from federal government sources pursuant to Title  
12 VIII of Public Law 103-382, as such title existed on September 1, 2001.

13 (f) For each fiscal year, learning communities may levy a maximum



14 levy of one-half cent on each one hundred dollars of taxable property  
15 subject to the levy for elementary learning center facility leases, for  
16 remodeling of leased elementary learning center facilities, and for up to  
17 fifty percent of the estimated cost for focus school or program capital  
18 projects approved by the learning community coordinating council pursuant  
19 to section 79-2111.

20 (g) For each fiscal year, learning communities may levy a maximum  
21 levy of one and one-half cents on each one hundred dollars of taxable  
22 property subject to the levy for early childhood education programs for  
23 children in poverty, for elementary learning center employees, for  
24 contracts with other entities or individuals who are not employees of the  
25 learning community for elementary learning center programs and services,  
26 and for pilot projects, except that no more than ten percent of such levy  
27 may be used for elementary learning center employees.

28 (3) For each fiscal year, community college areas may levy the  
29 levies provided in subdivisions (2)(a) through (c) of section 85-1517, in  
30 accordance with the provisions of such subdivisions. A community college  
31 area may exceed the levy provided in subdivision (2)(b) of section  
1 85-1517 by the amount necessary to retire general obligation bonds  
2 assumed by the community college area or issued pursuant to section  
3 85-1515 according to the terms of such bonds or for any obligation  
4 pursuant to section 85-1535 entered into prior to January 1, 1997.

5 (4)(a) Natural resources districts may levy a maximum levy of four  
6 and one-half cents per one hundred dollars of taxable valuation of  
7 property subject to the levy.

8 (b) Natural resources districts shall also have the power and  
9 authority to levy a tax equal to the dollar amount by which their  
10 restricted funds budgeted to administer and implement ground water  
11 management activities and integrated management activities under the  
12 Nebraska Ground Water Management and Protection Act exceed their  
13 restricted funds budgeted to administer and implement ground water  
14 management activities and integrated management activities for FY2003-04,  
15 not to exceed one cent on each one hundred dollars of taxable valuation  
16 annually on all of the taxable property within the district.

17 (c) In addition, natural resources districts located in a river  
18 basin, subbasin, or reach that has been determined to be fully  
19 appropriated pursuant to section 46-714 or designated as overappropriated  
20 pursuant to section 46-713 by the Department of Natural Resources shall  
21 also have the power and authority to levy a tax equal to the dollar  
22 amount by which their restricted funds budgeted to administer and  
23 implement ground water management activities and integrated management  
24 activities under the Nebraska Ground Water Management and Protection Act  
25 exceed their restricted funds budgeted to administer and implement ground  
26 water management activities and integrated management activities for  
27 FY2005-06, not to exceed three cents on each one hundred dollars of  
28 taxable valuation on all of the taxable property within the district for  
29 fiscal year 2006-07 and each fiscal year thereafter through fiscal year  
30 2017-18.

31 (5) Any educational service unit authorized to levy a property tax  
1 pursuant to section 79-1225 may levy a maximum levy of one and one-half  
2 cents per one hundred dollars of taxable valuation of property subject to  
3 the levy.

4 (6)(a) Incorporated cities and villages which are not within the  
5 boundaries of a municipal county may levy a maximum levy of forty-five  
6 cents per one hundred dollars of taxable valuation of property subject to  
7 the levy plus an additional five cents per one hundred dollars of taxable  
8 valuation to provide financing for the municipality's share of revenue  
9 required under an agreement or agreements executed pursuant to the  
10 Interlocal Cooperation Act or the Joint Public Agency Act. The maximum  
11 levy shall include amounts levied to pay for sums to support a library

12 pursuant to section 51-201, museum pursuant to section 51-501, visiting  
13 community nurse, home health nurse, or home health agency pursuant to  
14 section 71-1637, or statue, memorial, or monument pursuant to section  
15 80-202.

16 (b) Incorporated cities and villages which are within the boundaries

17 of a municipal county may levy a maximum levy of ninety cents per one  
18 hundred dollars of taxable valuation of property subject to the levy. The  
19 maximum levy shall include amounts paid to a municipal county for county  
20 services, amounts levied to pay for sums to support a library pursuant to  
21 section 51-201, a museum pursuant to section 51-501, a visiting community  
22 nurse, home health nurse, or home health agency pursuant to section  
23 71-1637, or a statue, memorial, or monument pursuant to section 80-202.

24 (7) Sanitary and improvement districts which have been in existence  
25 for more than five years may levy a maximum levy of forty cents per one  
26 hundred dollars of taxable valuation of property subject to the levy, and  
27 sanitary and improvement districts which have been in existence for five  
28 years or less shall not have a maximum levy. Unconsolidated sanitary and  
29 improvement districts which have been in existence for more than five  
30 years and are located in a municipal county may levy a maximum of eighty-  
31 five cents per hundred dollars of taxable valuation of property subject  
1 to the levy.

2 (8) Counties may levy or authorize a maximum levy of fifty cents per  
3 one hundred dollars of taxable valuation of property subject to the levy,  
4 except that five cents per one hundred dollars of taxable valuation of  
5 property subject to the levy may only be levied to provide financing for  
6 the county's share of revenue required under an agreement or agreements  
7 executed pursuant to the Interlocal Cooperation Act or the Joint Public  
8 Agency Act. The maximum levy shall include amounts levied to pay for sums  
9 to support a library pursuant to section 51-201 or museum pursuant to  
10 section 51-501. The county may allocate up to fifteen cents of its  
11 authority to other political subdivisions subject to allocation of  
12 property tax authority under subsection (1) of section 77-3443 and not  
13 specifically covered in this section to levy taxes as authorized by law  
14 which do not collectively exceed fifteen cents per one hundred dollars of  
15 taxable valuation on any parcel or item of taxable property. The county  
16 may allocate to one or more other political subdivisions subject to  
17 allocation of property tax authority by the county under subsection (1)  
18 of section 77-3443 some or all of the county's five cents per one hundred  
19 dollars of valuation authorized for support of an agreement or agreements  
20 to be levied by the political subdivision for the purpose of supporting  
21 that political subdivision's share of revenue required under an agreement  
22 or agreements executed pursuant to the Interlocal Cooperation Act or the  
23 Joint Public Agency Act. If an allocation by a county would cause another  
24 county to exceed its levy authority under this section, the second county  
25 may exceed the levy authority in order to levy the amount allocated.

26 (9) Municipal counties may levy or authorize a maximum levy of one  
27 dollar per one hundred dollars of taxable valuation of property subject  
28 to the levy. The municipal county may allocate levy authority to any  
29 political subdivision or entity subject to allocation under section  
30 77-3443.

31 (10) Beginning July 1, 2016, rural and suburban fire protection  
1 districts may levy a maximum levy of ten and one-half cents per one  
2 hundred dollars of taxable valuation of property subject to the levy if  
3 (a) such district is located in a county that had a levy pursuant to  
4 subsection (8) of this section in the previous year of at least forty  
5 cents per one hundred dollars of taxable valuation of property subject to  
6 the levy or (b) such district had a levy request pursuant to section  
7 77-3443 in any of the three previous years and the county board of the  
8 county in which the greatest portion of the valuation of such district is  
9 located did not authorize any levy authority to such district in such

10 year.

11 (11) A regional metropolitan transit authority may levy a maximum  
12 levy of ten cents per one hundred dollars of taxable valuation of  
13 property subject to the levy for each fiscal year that commences on the  
14 January 1 that follows the effective date of the conversion of the  
15 transit authority established under the Transit Authority Law into the  
16 regional metropolitan transit authority.

17 (12) Property tax levies (a) for judgments, except judgments or  
18 orders from the Commission of Industrial Relations, obtained against a  
19 political subdivision which require or obligate a political subdivision  
20 to pay such judgment, to the extent such judgment is not paid by  
21 liability insurance coverage of a political subdivision, (b) for  
22 preexisting lease-purchase contracts approved prior to July 1, 1998, (c)  
23 for bonds as defined in section 10-134 approved according to law and  
24 secured by a levy on property except as provided in section 44-4317 for  
25 bonded indebtedness issued by educational service units and school  
26 districts, ~~and~~ (d) for payments by a public airport to retire interest-  
27 free loans from the Division of Aeronautics of the Department of  
28 Transportation in lieu of bonded indebtedness at a lower cost to the  
29 public airport, ~~and~~ (e) to pay for cancer benefits provided on or after  
30 January 1, 2022, pursuant to the Firefighter Cancer Benefits Act are not  
31 included in the levy limits established by this section.

1 (13) The limitations on tax levies provided in this section are to  
2 include all other general or special levies provided by law.  
3 Notwithstanding other provisions of law, the only exceptions to the  
4 limits in this section are those provided by or authorized by sections  
5 77-3442 to 77-3444.

6 (14) Tax levies in excess of the limitations in this section shall  
7 be considered unauthorized levies under section 77-1606 unless approved  
8 under section 77-3444.

9 (15) For purposes of sections 77-3442 to 77-3444, political  
10 subdivision means a political subdivision of this state and a county  
11 agricultural society.

12 (16) For school districts that file a binding resolution on or  
13 before May 9, 2008, with the county assessors, county clerks, and county  
14 treasurers for all counties in which the school district has territory  
15 pursuant to subsection (7) of section 79-458, if the combined levies,  
16 except levies for bonded indebtedness approved by the voters of the  
17 school district and levies for the refinancing of such bonded  
18 indebtedness, are in excess of the greater of (a) one dollar and twenty  
19 cents per one hundred dollars of taxable valuation of property subject to  
20 the levy or (b) the maximum levy authorized by a vote pursuant to section  
21 77-3444, all school district levies, except levies for bonded  
22 indebtedness approved by the voters of the school district and levies for  
23 the refinancing of such bonded indebtedness, shall be considered  
24 unauthorized levies under section 77-1606.

25 Sec. 16. The State Fire Marshal shall create a report regarding  
26 firefighters including the (1) type of department, including fire and  
27 rescue and fire only, (2) number of firefighters, including paid, paid  
28 per call, and unpaid, (3) department classification, including all paid  
29 departments, all volunteer departments, and all combination paid and  
30 volunteer departments, and (4) number of fire stations.

31 2. On page 1, line 26; and page 2, line 1, strike "twelve" and  
1 insert "twenty-four".

2 3. On page 1, line 26, strike "and" and insert an underscored comma;  
3 and in line 27 after "Nebraska" insert ". (3) have been actively engaged  
4 in fire suppression at an actual fire or fire training event, and (4)  
5 wear all available personal protective equipment when fighting any fire,  
6 including a self-contained breathing apparatus when fighting structure  
7 fires".

8 4. On page 4, line 7, strike "subdivisions (1)(a) and (b) and  
 9 subsection" and insert "subsections (1) and"; in line 8 strike "sixty"  
 10 and insert "thirty-six"; in line 9 after the period insert "If a  
 11 firefighter has a physical examination during the thirty-six months of  
 12 eligibility that reveals evidence of cancer, the firefighter shall be  
 13 eligible for benefits under subsections (1) and (2) of section 4 of this  
 14 act even if such benefits are paid after the thirty-six-month eligibility  
 15 period ends."; in line 26 strike "sixty" and insert "thirty-six"; and in  
 16 line 29 before "Any" insert "(1)".  
 17 5. On page 5, after line 6 insert the following new subsection:  
 18 "(2) If the firefighters in a fire department are being provided  
 19 cancer benefits under the Firefighter Cancer Benefits Act, the fire chief  
 20 of such fire department, or his or her designee, shall submit an annual  
 21 report to the governing body of the rural or suburban fire protection  
 22 district, airport authority, city, or village served by such fire  
 23 department listing the total number of fire suppression incidents  
 24 occurring during the most recently completed calendar year. Such report  
 25 shall be submitted on or before February 15, 2023, and on or before  
 26 February 15 of each year thereafter."  
 27 6. Renumber the remaining sections accordingly.  
 28 7. Correct the operative date and repealer sections so that the  
 29 sections added by this amendment become operative on their effective  
 30 date.

The McDonnell amendment was adopted with 45 ayes, 0 nays, 3 present and not voting, and 1 excused and not voting.

Senator Linehan offered the following amendment:

[AM1374](#)

(Amendments to E&R amendments, ER76)

1 1. On page 19, line 4, strike "and"; and strike lines 5 through 8  
 2 and insert:  
 3 "(c) For taxable years beginning or deemed to begin on or after  
 4 January 1, 2022, and before January 1, 2023, at a rate equal to 5.58  
 5 percent on the first one hundred thousand dollars of taxable income and  
 6 at the rate of 7.50 percent on all taxable income in excess of one  
 7 hundred thousand dollars; and  
 8 (d) For taxable years beginning or deemed to begin on or after  
 9 January 1, 2023, at a rate equal to 5.58 percent on the first one hundred  
 10 thousand dollars of taxable income and at the rate of 7.25 percent on all  
 11 taxable income in excess of one hundred thousand dollars.  
 12 It is the intent of the Legislature to enact legislation after the  
 13 operative date of this section to lower the tax rate applicable to income  
 14 in excess of one hundred thousand dollars to 7.00 percent for taxable  
 15 years beginning or deemed to begin on or after January 1, 2024, and  
 16 before January 1, 2025, and to 6.84 percent for taxable years beginning  
 17 or deemed to begin on or after January 1, 2025."

The Linehan amendment was adopted with 45 ayes, 0 nays, 3 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 134.** Introduced by Redistricting Committee: Blood, 3; Briese, 41; Lathrop, 12; Morfeld, 46; Wayne, 13.

WHEREAS, redistricting of the various election districts will be considered as required by the Constitution of Nebraska and the Constitution of the United States; and

WHEREAS, the redistricting process is under the control of the Legislature and its rules; and

WHEREAS, the Legislature created the Redistricting Committee to administer the 2021 redistricting process; and

WHEREAS, the Redistricting Committee adopted proposed substantive guidelines for consideration by the Legislature.

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

That the following criteria are adopted to guide the Legislature during the 2021 redistricting process. The criteria are designed to help ensure that the redistricting plans developed are constitutionally acceptable:

1. Population data from the 2020 United States Census will be used for purposes of redistricting.

2. District boundaries established by the Legislature during the 2021 redistricting process shall be based on census geography.

3. District boundaries shall follow county lines whenever practicable and shall define districts that are compact and contiguous as these terms have been articulated by the United States Supreme Court. If adherence to county lines causes a redistricting plan, or any aspect thereof, to be in violation of principles set forth by the United States Supreme Court in interpreting the United States Constitution, that requirement may be waived to the extent necessary to bring the plan or aspect of the plan into compliance with such principles.

4. Insofar as possible, and within the context of principles set forth by the United States Supreme Court, district boundaries shall define districts that are easily identifiable and understandable to voters, preserve communities of interest, and preserve the cores of prior districts. When feasible, district boundary lines shall coincide with the boundaries of cities and villages. If a county, city, or village must be divided, the division shall be made along clearly recognizable boundaries, as described by census geography.

5. District boundaries shall not be established with the intention of favoring a political party or any other group or person.

6. In drawing district boundaries, no consideration shall be given to the political affiliations of registered voters, demographic information other than population figures, or the results of previous elections, except as may be required by the laws and Constitution of the United States.

7. District boundaries which would result in the unlawful dilution of the voting strength of any minority population shall not be established.

8. The general goal of the redistricting process shall be the creation of districts that are substantially equal in population. The specific criteria

under which redistricting plans shall be judged with regard to the issue of population equality are described in Guideline 9.

9. The following criteria shall be specifically applicable to the public bodies for which the Legislature will create new district boundaries in 2021:

UNITED STATES HOUSE OF REPRESENTATIVES

- (a) Three single-member districts.
- (b) Population among districts shall be as nearly equal as practicable, that is, with an overall range of deviation at or approaching 0%.
- (c) No plan will be considered which results in an overall range of deviation in excess of 1% or a relative deviation in excess of plus or minus 0.5%, based on the ideal district population. Any deviation from absolute equality of population must be necessary to the achievement of a "legitimate state objective" as that concept has been articulated by the United States Supreme Court. To the extent that such objectives are relied on, they shall be applied consistently and shall include, but not be limited to, the creation of compact districts, the preservation of municipal boundaries, the preservation of communities of interest, and the preservation of the cores of prior districts. Whenever there is presented to the Legislature more than one plan that will substantially vindicate the above objectives, preference will be given to the plan that provides the greatest degree of population equality.

LEGISLATURE

- (a) Forty-nine single-member districts.
- (b) In establishing new legislative district boundaries, the Legislature shall create districts that are as nearly equal in population as may be. No plan will be considered which results in an overall range of deviation in excess of 10% or a relative deviation in excess of plus or minus 5%, based on the ideal district population.
- (c) Any deviation in excess of the above must be justifiable as necessary for the realization of a "rational state policy" as that concept has been articulated by the United States Supreme Court.
- (d) If the population of any county falls within the relative deviation set forth in these guidelines, the boundaries of that county shall define a legislative district.

NEBRASKA SUPREME COURT

- (a) Six single-member districts.
- (b) Equality of population shall be achieved in accordance with the standards established above for redistricting the Legislature.

BOARD OF REGENTS

- (a) Eight single-member districts.
- (b) Equality of population shall be achieved in accordance with the standards established above for redistricting the Legislature.

PUBLIC SERVICE COMMISSION

- (a) Five single-member districts.
- (b) Equality of population shall be achieved in accordance with the standards established above for redistricting the Legislature.

STATE BOARD OF EDUCATION

- (a) Eight single-member districts.
- (b) Equality of population shall be achieved in accordance with the standards established above for redistricting the Legislature.

Laid over.

### **SPEAKER'S ANNOUNCEMENT**

Pursuant to Rule 4, Section 8, LR134 was referred to the Reference Committee.

### **REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LR134	Redistricting

(Signed) Dan Hughes, Chairperson  
Executive Board

### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 135.** Introduced by Hunt, 8.

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

1. That we hereby reaffirm our solemn oaths of office by expressing a firm resolution to maintain and defend the Constitution of the United States and the Constitution of Nebraska against every act of aggression whether foreign or domestic, including every act of malevolent attack upon the free exercise of the right to vote as protected by the Fifteenth, Nineteenth, and Twenty-Sixth Amendments to the Constitution of the United States.

2. That we are greatly alarmed that a factious and contentious spirit has recently manifested itself in our state government, emanating from the majority party in both the legislative and executive branches, with the desire to enlarge their powers by attempting to abridge the free exercise of the right to vote, particularly for minority groups, and infringing upon the execution of free and fair elections. This design appears to have no other end except to consolidate the power of the majority party in Nebraska, the obvious tendency and inevitable consequence of which would be to obliterate completely the rights of underserved populations to participate equitably in elections.

3. That we honor and celebrate the independence of the United States judicial system in its prudent decisions to reject frivolous lawsuits brought by former President of the United States, Donald J. Trump, and his allies, including Nebraska Attorney General, Doug Peterson, alleging voter fraud, of which there is no evidence.

4. That we in particular protest the ominous plan by members of this Legislature to require voter identification, which harks back to the racist practices of poll taxing and literacy tests, and a proposal to erode Nebraska's

long held tradition of allocating its electoral votes in accordance with the will of voters in each congressional district.

5. That the Legislature requests cooperation from the Governor of Nebraska, the Nebraska Attorney General, the President of the United States, the President pro tempore of the United States Senate, the Secretary of the United States Senate, the Speaker of the United States House of Representatives, the Clerk of the United States House of Representatives, and the presiding officers of each of the legislative houses in the several states in defending the sacred right of all American citizens to vote in free and fair elections.

6. That the Clerk of the Legislature shall transmit copies of this resolution to the Governor of Nebraska, the Nebraska Attorney General, the President of the United States, the President pro tempore of the Senate, the Secretary of the United States Senate, the Speaker of the United States House of Representatives, the Clerk of the United States House of Representatives, and to the presiding officers of each of the legislative houses in the several states.

Laid over.

**LEGISLATIVE RESOLUTION 136.** Introduced by Brewer, 43; Clements, 2; Erdman, 47; Gragert, 40; Halloran, 33.

**PURPOSE:** The purpose of this interim study is to examine, understand, and evaluate the causes, impacts, and costs of rolling electrical power outages during the extreme weather events of February 2021. The study shall also identify and evaluate the differing effects, if any, of public power district membership in the Southwest Power Pool (SPP) and the costs and benefits of SPP membership.

The study shall include, but not be limited to, an examination of:

- (1) The February 2021 rolling power outages to clearly determine the cause, the impact on generation resources, and the necessity to curtail power usage in Nebraska as a result of the event;
- (2) The financial impact of rolling power outages on communities, businesses, and residents in Nebraska;
- (3) The governing structures, business models, revenue structures and generation diversity of power entities in Nebraska and regional transmission organizations that are available to Nebraska entities;
- (4) How transparency, visibility, and public input processes can be improved in SPP decisionmaking and what role Nebraska's rural electrical systems and public power districts play when emergency decisions to shut off electricity are made;
- (5) To what degree each public power district and associated regional transmission organizations rely on accredited capacity in Nebraska and by out-of-state members, and to what degree, if any, those accredited capacity sources played a part in the rolling power outages of February 2021;
- (6) The effect, if any, changes made by Laws 2016, LB824, had on power generation in the state;



(7) The costs, benefits, risks, and disadvantages of public power participation in regional transmission organizations;

(8) The authority of public power districts within the state of Nebraska to join and enter into agreements with regional transmission organizations such as SPP;

(9) Any weather-induced generation reduction from the extreme cold of February 2021 and what impact it had on energy resources; and

(10) Any alternatives and mitigation measures to avoid rolling power outages in Nebraska in the future, including requirements to develop robust baseload capacity in the regional marketplace and the degree to which it may be helpful to develop micro-grids using advanced nuclear reactor technology in Nebraska.

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

1. That the Natural Resources 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.

#### **SPEAKER'S ANNOUNCEMENT**

Pursuant to Rule 4, Section 8, LR135 was referred to the Reference Committee.

#### **NOTICE OF COMMITTEE HEARING(S)**

Executive Board  
Room 1524

Tuesday, May 18, 2021 12:00 p.m.

LR118

LR121

LR130

(Signed) Dan Hughes, Chairperson

Transportation and Telecommunications  
Room 1113

Tuesday, May 18, 2021 8:30 a.m.

Alec Gorynski - State Highway Commission

Matthew O'Daniel - Motor Vehicle Industry Licensing Board

Brad Jacobs - Motor Vehicle Industry Licensing Board

Clint Jones - Motor Vehicle Industry Licensing Board

Shane J. Greckel - Nebraska Information Technology Commission  
Daniel Spray - Nebraska Information Technology Commission

(Signed) Curt Friesen, Chairperson

### SELECT FILE

**LEGISLATIVE BILL 630.** Senator Bostar offered his amendment, [AM1261](#), found on page 1365.

The Bostar amendment was adopted with 36 ayes, 0 nays, 12 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 630A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 306.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 306A.** Advanced to Enrollment and Review for Engrossment.

### AMENDMENT(S) - Print in Journal

Senator Moser filed the following amendment to [LB579](#):

[AM1377](#)

- 1 1. Strike original section 1.
- 2 2. On page 4, line 8, strike "[Heartland Expressway](#)" and insert
- 3 "[expressway system](#)"; and in line 11 strike "and" and after "[letting](#)"
- 4 insert "[and required funding for project completion](#)".
- 5 3. Renumber the remaining sections and correct the repealer
- 6 accordingly.

Senator Brandt filed the following amendment to [LB241](#):

[FA46](#)

Strike the emergency clause.

### GENERAL FILE

**LEGISLATIVE BILL 376.** Title read. Considered.

Committee [AM1307](#), found on page 1328, was adopted with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 15 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 376A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 26 ayes, 0 nays, 21 present and not voting, and 2 excused and not voting.

**NOTICE OF COMMITTEE HEARING(S)**

General Affairs  
Room 1510

Wednesday, May 19, 2021 12:30 p.m.

Zachary Cheek - Nebraska Arts Council

Ann Michelle Dudley - Nebraska Arts Council

Brenda Davis - Nebraska Arts Council

Pamela Snow - Nebraska Arts Council

Sharon Hofschire - Nebraska Arts Council

Boyd Pedersen - State Electrical Board

Kurt Griess - State Electrical Board

(Signed) Tom Briese, Chairperson

**SPEAKER HILGERS PRESIDING**

**GENERAL FILE**

**LEGISLATIVE BILL 139.** Title read. Considered.

Committee [AM1293](#), found on page 1312, was offered.

Senator Lathrop offered the following amendment to the committee amendment:

[AM1375](#)

(Amendments to Standing Committee amendments, AM1293)

1 1. Strike sections 5 to 9 and insert the following new sections:

2 Sec. 5. Sections 5 to 9 of this act shall be known and may be cited

3 as the Health Care Crisis Protocol Act.

4 Sec. 6. For purposes of the Health Care Crisis Protocol Act, health

5 care crisis protocol means the plans and protocols for triage and the

6 application of medical services and resources for critically ill patients

7 in the event that the demand for medical services and resources exceeds

8 supply as a result of a pervasive or catastrophic disaster as provided in

9 the Health Care Crisis Protocol for the State of Nebraska published by

10 the Nebraska Medical Emergency Operations Center, dated May 10, 2021.

11 Sec. 7. The health care crisis protocol may be activated only in

12 extraordinary circumstances when the level of demand for medical services

13 and resources exceeds the available resources required to deliver the

14 generally accepted standard of care and crisis operations will be in

15 effect for a sustained period.

16 Sec. 8. The health care crisis protocol does not change or alter the

17 standard for malpractice or professional negligence for health care

18 providers set forth in section 44-2810.

19 Sec. 9. (1) Each hospital shall have the health care crisis protocol

20 available for inspection by the public.

21 (2) The Department of Health and Human Services shall publish a copy

22 of the health care crisis protocol on the department's web site for  
 23 inspection by the public.  
 24 (3) For purposes of this section, hospital means a hospital licensed  
 25 under the Health Care Facility Licensure Act.

The Lathrop amendment was adopted with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

Senator Hunt offered the following amendment:

[AM1372](#)

(Amendments to Standing Committee amendments, AM1293)

1 1. Insert the following new sections:  
 2 Section 1. Sections 1 to 9 of this act shall be known and may be  
 3 cited as the Healthy and Safe Families and Workplaces Act.  
 4 Sec. 2. For purposes of the Healthy and Safe Families and  
 5 Workplaces Act:  
 6 (1) Commissioner means the Commissioner of Labor;  
 7 (2) Department means the Department of Labor;  
 8 (3) Domestic abuse means any behavior within an intimate  
 9 relationship that causes physical, psychological, or emotional harm to  
 10 those in the relationship, including behavior that causes the employee  
 11 fear or concern for the employee's own safety or the safety of someone  
 12 close to the employee or behavior done with the intent to harm or exert  
 13 control over the employee;  
 14 (4) Domestic assault means domestic assault in the first, second, or  
 15 third degree under section 28-323 or any similar crime committed in  
 16 another state;  
 17 (5) Employee means any individual employed full-time by an employer  
 18 who receives compensation from such employer and includes recipients of  
 19 public benefits who are engaged in work activity as a condition of  
 20 receiving public assistance. Employee does not include a minor child  
 21 employed by a parent.  
 22 (6) Employer includes any individual, partnership, limited liability  
 23 company, association, corporation, business trust, legal representative,  
 24 or any organized group of persons employing more than fifty employees at  
 25 any one time, excluding any employees who work no more than twenty weeks  
 26 in any calendar year, but does not include the United States, the State  
 1 of Nebraska, or any political subdivision thereof;  
 2 (7) Family member means:  
 3 (a) A biological, adopted, or foster child, a stepchild, or a legal  
 4 ward of an employee or the employee's spouse or domestic partner  
 5 regardless of the age or dependency status of such child, stepchild, or  
 6 legal ward;  
 7 (b) A person to whom the employee or the employee's spouse or  
 8 domestic partner stood in loco parentis when such person was a minor  
 9 child, regardless of the age or dependency status of person;  
 10 (c) A biological, adoptive, or foster parent, a stepparent, or a  
 11 legal guardian of an employee or the employee's spouse or domestic  
 12 partner  
 13 (d) A person who stood in loco parentis to the employee or the  
 14 employee's spouse or domestic partner when the employee or the employee's  
 15 spouse or domestic partner was a minor child;  
 16 (e) An employee's spouse or domestic partner; or  
 17 (f) A grandparent, grandchild, or sibling, whether of a biological,  
 18 foster, adoptive, or step relationship, of the employee or the employee's  
 19 spouse or domestic partner;  
 20 (8) Health care professional means any person licensed under federal  
 21 or state law to provide medical or emergency services, including, but not  
 22 limited to, doctors, nurses, and emergency room personnel;

23 (9) Sexual assault means sexual assault under section 28-319 or  
24 28-320, sexual assault of a child under section 28-319.01 or 28-320.01,  
25 sexual assault by use of an electronic communication device under section  
26 28-320.02, or any similar crime committed in another state;  
27 (10) Sick and safe time means leave time that is uncompensated and  
28 available to an employee for the purposes described in section 4 of this  
29 act; and  
30 (11) Stalking means stalking under section 28-311.03 or any similar  
31 crime committed in another state.  
1 Sec. 3. (1) Employees shall accrue a minimum of one hour of sick  
2 and safe time for every thirty hours worked. Employees shall not accrue  
3 more than forty hours of sick and safe time in a calendar year unless the  
4 employer selects a higher limit.  
5 (2) Employees who are exempt from overtime requirements under 29  
6 U.S.C. 213(a)(1) shall be assumed to work forty hours in each work week  
7 for purposes of sick and safe time accrual unless their normal work week  
8 is less than forty hours, in which case sick and safe time accrues based  
9 upon that normal work week.  
10 (3) Sick and safe time accrual shall begin at the commencement of  
11 employment.  
12 (4) Employees shall be entitled to use accrued sick and safe time  
13 beginning on the sixtieth calendar day following commencement of  
14 employment. After the sixtieth calendar day, employees may use sick and  
15 safe time as it is accrued.  
16 (5) Sick and safe time shall be carried over to subsequent calendar  
17 years, except that an employee's use of sick and safe time in each  
18 calendar year shall not exceed forty hours unless the employer selects a  
19 higher limit.  
20 (6) Any employer with a leave policy which makes available an amount  
21 of leave which is sufficient to meet the accrual requirements for sick  
22 and safe time under this section and which may be used for the same  
23 purposes and under the same conditions as sick and safe time under the  
24 Healthy and Safe Families and Workplaces Act is not required to provide  
25 additional sick and safe time.  
26 (7) Nothing in this section shall be construed as requiring  
27 financial or other reimbursement to an employee from an employer upon the  
28 employee's termination, resignation, retirement, or other separation from  
29 employment for accrued sick and safe time that has not been used.  
30 (8) If an employee is transferred to a separate division, entity, or  
31 location, but remains employed by the same employer, the employee shall  
1 be entitled to all sick and safe time accrued at the prior division,  
2 entity, or location and is entitled to use all sick and safe time as  
3 provided in this section. When there is a separation from employment and  
4 the employee is rehired within six months after separation by the same  
5 employer, previously accrued sick and safe time that had not been used  
6 shall be reinstated, and the employee shall be entitled to use accrued  
7 sick and safe time and accrue additional sick and safe time at the  
8 recommencement of employment.  
9 Sec. 4. (1) An employer shall allow an employee to use sick and  
10 safe time for:  
11 (a) An employee's mental or physical illness, injury, or health  
12 condition; an employee's need for medical diagnosis, care, or treatment  
13 of a mental or physical illness, injury, or health condition; or an  
14 employee's need for preventive medical care;  
15 (b) Care of a family member with a mental or physical illness,  
16 injury, or health condition; care of a family member who needs medical  
17 diagnosis, care, or treatment of a mental or physical illness, injury, or  
18 health condition; or care of a family member who needs preventive medical  
19 care; or  
20 (c) Absence necessary due to domestic abuse, domestic assault,

21 sexual assault, or stalking, regardless of whether a charge has been  
22 filed or a conviction has been obtained, if the leave is to allow the  
23 employee to obtain any of the following for the employee or the  
24 employee's family member:  
25 (i) Medical attention needed to recover from physical or  
26 psychological injury or disability caused by such domestic abuse,  
27 domestic assault, sexual assault, or stalking;  
28 (ii) Services from a victim services organization;  
29 (iii) Psychological or other counseling;  
30 (iv) Relocation due to the domestic abuse, domestic assault, sexual  
31 assault, or stalking; or  
1 (v) Legal services, including preparing for or participating in any  
2 civil or criminal legal proceeding relating to or resulting from the  
3 domestic abuse, domestic assault, sexual assault, or stalking.  
4 (2) Sick and safe time shall be provided upon the oral request of an  
5 employee as soon as practicable after the employee is aware of the need  
6 for such sick and safe time. The request shall include the expected  
7 duration of the absence, if reasonably possible.  
8 (3) An employer cannot require, as a condition of an employee's  
9 taking sick and safe time, that the employee search for or find a  
10 replacement worker to cover the hours during which the employee is on  
11 sick and safe time.  
12 (4) Accrued sick and safe time may be used in the smaller of hourly  
13 increments or the smallest increment that the employer's payroll system  
14 uses to account for absences or use of other time.  
15 (5)(a) If the use of sick and safe time exceeds more than three  
16 consecutive workdays, an employer may require reasonable documentation  
17 that the sick and safe time has been used for a purpose described in  
18 subsection (1) of this section.  
19 (b) Documentation signed by a health care professional indicating  
20 that sick time is necessary shall be considered reasonable documentation.  
21 (c) The following documentation shall be considered reasonable  
22 documentation for absences due to domestic abuse, domestic assault,  
23 sexual assault, or stalking:  
24 (i) A police report indicating that the employee or the employee's  
25 family member was a victim of domestic abuse, domestic assault, sexual  
26 assault, or stalking;  
27 (ii) A court order protecting or separating the employee or the  
28 employee's family member from the perpetrator of an act of domestic  
29 abuse, domestic assault, sexual assault, or stalking or other evidence  
30 from the court or prosecuting attorney that the employee or the  
31 employee's family member has appeared in court or is scheduled to appear  
1 in court in a proceeding related to the domestic abuse, domestic assault,  
2 sexual assault, or stalking; or  
3 (iii) Other documentation signed by an advocate as defined in  
4 section 29-4302, an attorney, a police officer, a licensed mental health  
5 professional, a medical professional, a social worker, an antiviolen  
6 counselor, or a member of the clergy affirming that the employee or the  
7 employee's family member is a victim of domestic abuse, domestic assault,  
8 sexual assault, or stalking.  
9 (d) The employee may choose the type of applicable documentation to  
10 submit and the employer shall not require more than one type of  
11 reasonable documentation for the same incident.  
12 (e) An employer shall not require that the documentation explain the  
13 nature of the illness or the details of the domestic abuse, domestic  
14 assault, sexual assault, or stalking.  
15 (f) If required by the employer, the employee shall provide such  
16 reasonable documentation to the employer no later than thirty days after  
17 the first day of the period of time for which the employee is requesting  
18 sick and safe time. The employer shall not delay the commencement of sick

19 and safe time on the basis that the employer has not yet received the  
20 documentation.

21 (6) Any information provided to an employer regarding sick and safe  
22 time shall be confidential except to the extent that any disclosure of  
23 such information is:

24 (a) Requested or consented to in writing by the employee;

25 (b) Otherwise required by federal or state law; or

26 (c) Necessary to prevent a clear and definite danger to other  
27 employees.

28 Sec. 5. (1) It shall be unlawful for an employer or any other  
29 person to interfere with, restrain, or deny the exercise of, or the  
30 attempt to exercise, any right protected under the Healthy and Safe  
31 Families and Workplaces Act.

1 (2) An employer shall not take retaliatory personnel action or  
2 discriminate against an employee because the employee has exercised  
3 rights protected under the act. Such rights include, but are not limited  
4 to, the right to use sick and safe time pursuant to the act, the right to  
5 file a complaint or inform any person about any employer's alleged  
6 violation of the act, the right to cooperate with the department in its  
7 investigations of alleged violations of the act, and the right to inform  
8 any person of potential rights under the act.

9 (3) It is unlawful for an employer's absence control policy to count  
10 sick and safe time taken under the act as an absence that may lead to or  
11 result in discipline, discharge, demotion, suspension, or any other  
12 adverse action.

13 (4) The protections of this section shall apply to any person who  
14 mistakenly but in good faith alleges violations of the act.

15 Sec. 6. Employers shall give notice at the time of hire that  
16 employees are entitled to sick and safe time, the amount of sick and safe  
17 time, the terms of use for sick and safe time guaranteed under the  
18 Healthy and Safe Families and Workplaces Act, that retaliation against  
19 employees who request or use sick and safe time is prohibited, and that  
20 each employee has the right to file a complaint or bring a civil action  
21 if sick and safe time is denied by the employer or the employee is  
22 retaliated against for exercising rights under the act.

23 Sec. 7. (1) An employee may report to the commissioner any  
24 suspected violation of the Healthy and Safe Families and Workplaces Act.  
25 The commissioner shall encourage reporting pursuant to this subsection by  
26 keeping confidential, to the maximum extent permitted by applicable law,  
27 the name and other identifying information of the employee reporting the  
28 suspected violation, except that with the authorization of such employee,  
29 the commissioner may disclose the employee's name and identifying  
30 information as necessary to enforce the act or for other appropriate  
31 purposes. The commissioner may summon witnesses and require the  
1 production of records, books, and documents for examination in any  
2 investigation conducted by the department pursuant to this section. The  
3 commissioner shall assess an administrative penalty against an employer  
4 when an investigation reveals that the employer violated the act. The  
5 administrative penalty shall be not more than five hundred dollars in the  
6 case of a first violation and not more than five thousand dollars in the  
7 case of a second or subsequent violation. The commissioner shall notify  
8 the employer of the proposed administrative penalty by certified mail or  
9 any other manner of delivery by which the United States Postal Service  
10 can verify delivery. The employer shall have fifteen working days after  
11 the date the commissioner sends notification of the penalty to contest  
12 such penalty. Notice of contest shall be sent to the commissioner who  
13 shall provide a hearing in accordance with the Administrative Procedure  
14 Act.

15 (2) Any employee aggrieved by a violation of the Health and Safe  
16 Families and Workplaces Act or any entity, a member of which is an

17 employee aggrieved by a violation of the act, may bring a civil action in  
 18 a court of competent jurisdiction against an employer who violates the  
 19 act. The action may be brought without first filing an administrative  
 20 complaint. Upon prevailing in an action brought pursuant to this  
 21 subsection, such employee or entity shall be entitled to appropriate  
 22 relief, including temporary or permanent injunctive relief, general and  
 23 special damages, and reasonable attorney's fees and costs.  
 24 Sec. 8. (1) Nothing in the Healthy and Safe Families and Workplaces  
 25 Act shall be construed to discourage or prohibit an employer from the  
 26 adoption or retention of a sick and safe time policy that is more  
 27 generous than the policy required by the act.  
 28 (2) The act provides minimum requirements pertaining to sick and  
 29 safe time and shall not be construed to preempt, limit, or otherwise  
 30 affect the applicability of any other law, rule, regulation, requirement,  
 31 policy, contract, or standard that provides for greater accrual or use by  
 1 employees of sick and safe time, whether paid or unpaid, or that extends  
 2 other protections to employees.  
 3 Sec. 9. The department shall administer and enforce the Healthy and  
 4 Safe Families and Workplaces Act and may adopt and promulgate rules and  
 5 regulations to carry out the purposes of the act.  
 6 Sec. 19. Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 of this act become  
 7 operative three calendar months after the adjournment of this legislative  
 8 session. The other sections of this act become operative on their  
 9 effective date.  
 10 Sec. 20. If any section in this act or any part of any section is  
 11 declared invalid or unconstitutional, the declaration shall not affect  
 12 the validity or constitutionality of the remaining portions.  
 13 2. On page 1, line 3, strike "1 to 4" and insert "10 to 13".  
 14 3. On page 2, line 6, strike "effective date of this act" and insert  
 15 "operative date of this section"; and in line 22 strike "5 to 9" and  
 16 insert "14 to 18".  
 17 4. Renumber the remaining sections accordingly.

Senator Slama requested a ruling of the Chair on whether the Hunt amendment is germane to the bill.

The Chair ruled that the Hunt amendment is not germane to the bill.

The committee amendment, as amended, was adopted with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 3 nays, 3 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 54.** Title read. Considered.

Committee [AM1268](#), found on page 1311, was offered.

#### **SENATOR WILLIAMS PRESIDING**

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

Senator Lathrop requested a roll call vote, in reverse order, on the committee amendment.



Voting in the affirmative, 33:

Blood	Day	Hilgers	McCollister	Stinner
Bostar	DeBoer	Hilkemann	McDonnell	Vargas
Bostelman	Flood	Hunt	McKinney	Walz
Brandt	Geist	Kolterman	Morfeld	Williams
Briese	Gragert	Lathrop	Moser	Wishart
Cavanaugh, J.	Hansen, B.	Lindstrom	Pansing Brooks	
Cavanaugh, M.	Hansen, M.	Linehan	Slama	

Voting in the negative, 1:

Erdman

Present and not voting, 11:

Aguilar	Clements	Groene	Murman
Albrecht	Dorn	Halloran	Sanders
Brewer	Friesen	Lowe	

Excused and not voting, 4:

Arch	Hughes	Pahls	Wayne
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The committee amendment was adopted with 33 ayes, 1 nay, 11 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Lathrop moved for a call of the house. The motion prevailed with 36 ayes, 5 nays, and 4 not voting.

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

Voting in the affirmative, 25:

Blood	Day	Hunt	McCollister	Stinner
Bostar	DeBoer	Kolterman	McDonnell	Vargas
Brandt	Flood	Lathrop	McKinney	Walz
Cavanaugh, J.	Hansen, M.	Lindstrom	Morfeld	Williams
Cavanaugh, M.	Hilkemann	Linehan	Pansing Brooks	Wishart

Voting in the negative, 13:

Albrecht	Erdman	Halloran	Lowe	Slama
Bostelman	Geist	Hansen, B.	Moser	
Clements	Groene	Hilgers	Murman	

Present and not voting, 7:

Aguilar	Briese	Friesen	Sanders
Brewer	Dorn	Gragert	

Excused and not voting, 4:

Arch	Hughes	Pahls	Wayne
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Advanced to Enrollment and Review Initial with 25 ayes, 13 nays, 7 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

### AMENDMENT(S) - Print in Journal

Senator Brewer filed the following amendment to LB236:

AM1388

(Amendments to Standing Committee amendments, AM438)

- 1 1. Strike amendment 1 and insert the following new amendment:
- 2 1. Strike the original sections and all amendments thereto and
- 3 insert the following new sections:
- 4 Section 1. Section 28-1202, Reissue Revised Statutes of Nebraska, is
- 5 amended to read:
- 6 28-1202 (1)(a) Except as otherwise provided in this section, any
- 7 person who carries a weapon or weapons concealed on or about his or her
- 8 person, such as a handgun, a knife, brass or iron knuckles, or any other
- 9 deadly weapon, commits the offense of carrying a concealed weapon.
- 10 (b) It is an affirmative defense that the defendant was engaged in
- 11 any lawful business, calling, or employment at the time he or she was
- 12 carrying any weapon or weapons and the circumstances in which such person
- 13 was placed at the time were such as to justify a prudent person in
- 14 carrying the weapon or weapons for the defense of his or her person,
- 15 property, or family.
- 16 (2) This section does not apply to a person who is the holder of a
- 17 valid permit issued under the Concealed Handgun Permit Act if the
- 18 concealed weapon the defendant is carrying is a handgun.
- 19 (3)(a) This section does not apply to storing or transporting a
- 20 firearm in a motor vehicle for any lawful purpose or to transporting a
- 21 firearm directly to or from a motor vehicle to or from any place where
- 22 such firearm may be lawfully possessed or carried by such person, if such
- 23 firearm is unloaded, kept separate from ammunition, and enclosed in a
- 24 case. This subsection shall not apply to any person prohibited by state
- 25 or federal law from possessing, carrying, transporting, shipping, or
- 26 receiving a firearm.
- 1 (b) For purposes of this subsection, case means (i) a hard-sided or
- 2 soft-sided box, container, or receptacle intended or designed for the
- 3 primary purpose of storing or transporting a firearm or (ii) the firearm
- 4 manufacturer's original packaging.
- 5 (4) ~~(3)~~ Carrying a concealed weapon is a Class I misdemeanor.

6 (5) (4) In the case of a second or subsequent conviction under this  
7 section, carrying a concealed weapon is a Class IV felony.  
8 Sec. 2. Section 69-2436, Reissue Revised Statutes of Nebraska, is  
9 amended to read:  
10 69-2436 (1) A permit to carry a concealed handgun is valid  
11 throughout the state for a period of five years after the date of  
12 issuance. The fee for issuing a permit is one hundred dollars.  
13 (2) The Nebraska State Patrol shall renew a ~~permitholder's person's~~  
14 permit to carry a concealed handgun for a renewal period of five years,  
15 subject to continuing compliance with the requirements of section  
16 69-2433, except as provided in subsection (4) of section 69-2443. The  
17 renewal fee is fifty dollars, and renewal may be applied for ~~no earlier~~  
18 ~~than up to~~ four months before expiration of ~~the~~ a permit ~~and no later~~  
19 ~~than thirty business days after the date of expiration of the permit to~~  
20 ~~carry a concealed handgun. At least four months before expiration of a~~  
21 ~~permit to carry a concealed handgun, the Nebraska State Patrol shall send~~  
22 ~~to the permitholder by United States mail or electronically notice of~~  
23 ~~expiration of the permit.~~  
24 (3) The applicant shall submit the fee with the application to the  
25 Nebraska State Patrol. The fee shall be remitted to the State Treasurer  
26 for credit to the Nebraska State Patrol Cash Fund.  
27 (4) ~~On or before June 30, 2007, the Nebraska State Patrol shall~~  
28 ~~journal entry, as necessary, all current fiscal year expenses and~~  
29 ~~revenue, including investment income, from the Public Safety Cash Fund~~  
30 ~~under the Concealed Handgun Permit Act and recode them against the~~  
31 ~~Nebraska State Patrol Cash Fund and its program appropriation.~~  
1 Sec. 3. Original sections 28-1202 and 69-2436, Reissue Revised  
2 Statutes of Nebraska, are repealed.

Senator B. Hansen filed the following amendment to LB241:

[FA47](#)

Amend AM1330.

On page 1, line 2, strike "and in line 20 strike "(9)" and insert "(8)".

Senator Hunt filed the following amendment to LR107:

[AM1380](#)

1 1. Strike the original provisions and insert the following new  
2 provisions:  
3 NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED  
4 SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION:  
5 1. That we hereby reaffirm our solemn oaths of office by expressing  
6 a firm resolution to defend the United States Capitol, the sacred symbol  
7 of our democracy, against every act of sedition and insurrection, whether  
8 from citizens of the United States or their elected officials.  
9 2. That we are greatly alarmed that a factious and treasonous spirit  
10 manifested on January 6, 2021, in a violent attack on the United States  
11 Capitol in Washington, D.C., and that such insurrection was spurred by  
12 influences emanating from some members of the United States Congress and  
13 former President of the United States, Donald J. Trump, with a desire to  
14 sow discord among the citizenry and to destroy the outcome of the free  
15 and fair election that resulted in the election of President Joseph R.  
16 Biden.  
17 3. That we further protest against the actions of the mob of  
18 citizens who committed countless criminal acts resulting in incalculable  
19 property damage; caused physical injuries to many, including brave first  
20 responders; and brought about tragic loss of life, including an officer  
21 of the United States Capitol Police. We also protest the words of elected  
22 officials in the state legislatures and the United States Congress which  
23 sought to incite such mob.

24 4. That we express distress at the knowledge that this insurrection  
 25 was fueled by lies and misinformation and an official abuse of power by  
 26 some local, state, and federal leaders, including Nebraska's Attorney  
 27 General, Nebraska's Secretary of State, and Nebraska's Governor, who used  
 1 the powers and privileges of their offices, granted by the people  
 2 themselves, as well as state resources, to file frivolous partisan  
 3 lawsuits designed to usurp the democratic process.  
 4 5. That the Legislature requests cooperation from the Governor of  
 5 Nebraska, the Nebraska Attorney General, the President of the United  
 6 States, the President pro tempore of the United States Senate, the  
 7 Secretary of the United States Senate, the Speaker of the United States  
 8 House of Representatives, the Clerk of the United States House of  
 9 Representatives, and the presiding officers of each of the legislative  
 10 houses in the several states in defending the United States Capitol  
 11 Building and our democratic election process.  
 12 6. That the Clerk of the Legislature shall transmit copies of this  
 13 resolution to the Governor of Nebraska, the Nebraska Attorney General,  
 14 the President of the United States, the President pro tempore of the  
 15 Senate, the Secretary of the United States Senate, the Speaker of the  
 16 United States House of Representatives, the Clerk of the United States  
 17 House of Representatives, and to the presiding officers of each of the  
 18 legislative houses in the several states.

Senator Hunt filed the following amendment to [LR107](#):  
[AM1381](#)

1 1. Strike the original provisions and insert the following new  
 2 provisions:  
 3 NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED  
 4 SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION:  
 5 1. That we hereby reaffirm our solemn oaths of office by expressing  
 6 a firm resolution to maintain and defend the right to safe and legal  
 7 abortion, as recognized and affirmed as a fundamental constitutional  
 8 right by the Supreme Court of the United States in *Roe v. Wade*.  
 9 2. That we find medication abortion to be a safe medical procedure,  
 10 and a two-dose regimen of the medications mifepristone and misoprostol is  
 11 a common way to induce abortion in early pregnancy with very low  
 12 potential for risk, that most Nebraskans live in a county with no  
 13 abortion provider, and that appointments for medication abortion can be  
 14 difficult to access for low-income rural patients or those working  
 15 multiple jobs.  
 16 3. That we strongly affirm the decision of the United States Food  
 17 and Drug Administration to issue a temporary policy which allows  
 18 mifepristone to be prescribed via telemedicine and received by mail for a  
 19 patient living in a state that does not have unnecessary restrictions on  
 20 abortion care.  
 21 4. That we acknowledge that the elimination of an unnecessary in-  
 22 person requirement for a patient to swallow abortion medication in the  
 23 presence of a physician will reduce the risk of COVID-19 exposure and  
 24 infection, that restrictions that cause delays in a patient's ability to  
 25 access abortion care contribute to higher levels of risk in more invasive  
 26 medical procedures, that the requirement to receive a medication abortion  
 27 in the presence of a physician constitutes an undue burden on a patient  
 1 seeking a medication abortion, and that such matters should be assessed  
 2 on the basis of science and evidence rather than religious doctrine.  
 3 5. That we affirm the sacred patient-doctor relationship and a  
 4 constitutional right to the liberty to decide what, if any, procedure is  
 5 necessary for the health of an individual or that person's family. We  
 6 explicitly reject the idea of policies that would restrain a patient's  
 7 right to access safe and legal abortion care.  
 8 6. That the Legislature requests cooperation from the Governor of

9 Nebraska, the Nebraska Attorney General, the President of the United  
10 States, the President pro tempore of the United States Senate, the  
11 Secretary of the United States Senate, the Speaker of the United States  
12 House of Representatives, the Clerk of the United States House of  
13 Representatives, and the presiding officers of each of the legislative  
14 houses in the several states in defending the Constitution of the United  
15 States, the Constitution of Nebraska, and the people of Nebraska against  
16 attacks on their right to reproductive healthcare.  
17 7. That the Clerk of the Legislature shall transmit copies of this  
18 resolution to the Governor of Nebraska, the Nebraska Attorney General,  
19 the President of the United States, the President pro tempore of the  
20 Senate, the Secretary of the United States Senate, the Speaker of the  
21 United States House of Representatives, the Clerk of the United States  
22 House of Representatives, and to the presiding officers of each of the  
23 legislative houses in the several states.

Senator Hunt filed the following amendment to [LR107](#):  
[AM1382](#)

1 1. Strike the original provisions and insert the following new  
2 provisions:  
3 NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED  
4 SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION:  
5 1. That we hereby reaffirm our solemn oaths of office by expressing  
6 a firm resolution to maintain and defend the American people and the  
7 right of all Nebraskans to an urgent, robust, and professional response  
8 to the public health and attendant economic crises caused by the COVID-19  
9 pandemic.  
10 2. That we are greatly alarmed that a factious and contentious  
11 spirit manifested itself in some former and current members of the state  
12 and federal governments during the coronavirus emergency of 2019 and  
13 2020, emanating both from the legislative and executive branches, with  
14 the desire to obstruct the dissemination of scientific evidence regarding  
15 the severity of the COVID-19 pandemic and methods for its mitigation.  
16 This design appears to have no other end except to signal an adherence to  
17 principles of personal liberty without regard for one's fellow human  
18 beings, the obvious tendency and inevitable consequence of which would be  
19 to contribute to hundreds of thousands of preventable deaths in the  
20 several states.  
21 3. That we extend our appreciation to the membership of the current  
22 federal executive and legislative branches for decisive action taken to  
23 produce pandemic relief policies, which are grounded in best practices in  
24 science, medicine, and public health and promote common purpose, trust,  
25 transparency, and accountability.  
26 4. That we express appreciation for the efforts of Nebraska's  
27 mayors, city councils, public health workers and officials, and other  
1 local government workers who adhered to scientific best practices in  
2 implementing mask requirements and safety measures designed to protect  
3 our citizenry. We similarly appreciate the efforts of the University of  
4 Nebraska Medical Center and all frontline healthcare workers who placed  
5 themselves at extraordinary risk in serving the public during the  
6 COVID-19 pandemic.  
7 5. That we celebrate the widespread accessibility of the COVID-19  
8 vaccination available to Americans at no cost and acknowledge that  
9 society has reached this remarkable achievement as a result of the  
10 diligent and sometimes thankless work of the scientists, doctors, and  
11 frontline workers, each of whom played a vital role in reaching this  
12 point.  
13 6. That the Legislature requests cooperation from the Governor of  
14 Nebraska, the Nebraska Attorney General, the President of the United  
15 States, the President pro tempore of the United States Senate, the

16 Secretary of the United States Senate, the Speaker of the United States  
 17 House of Representatives, the Clerk of the United States House of  
 18 Representatives, and the presiding officers of each of the legislative  
 19 houses in the several states in defending the Constitution of the United  
 20 States, the several states, and the American people against future  
 21 pandemics.  
 22 7. That the Clerk of the Legislature shall transmit copies of this  
 23 resolution to the Governor of Nebraska, the Nebraska Attorney General,  
 24 the President of the United States, the President pro tempore of the  
 25 Senate, the Secretary of the United States Senate, the Speaker of the  
 26 United States House of Representatives, the Clerk of the United States  
 27 House of Representatives, and to the presiding officers of each of the  
 28 legislative houses in the several states.

Senator Hunt filed the following amendment to LR107:  
AM1383

1 1. Strike the original provisions and insert the following new  
 2 provisions:  
 3 NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED  
 4 SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION:  
 5 1. That we hereby reaffirm our solemn oaths of office by expressing  
 6 a firm resolution to maintain and defend the Constitution of the United  
 7 States and the Constitution of Nebraska against every act of aggression  
 8 whether foreign or domestic, including every act of malevolent attack  
 9 upon the free exercise of the right to vote as protected by the  
 10 Fifteenth, Nineteenth, and Twenty-Sixth Amendments to the Constitution of  
 11 the United States.  
 12 2. That we are greatly alarmed that a factious and contentious  
 13 spirit has recently manifested itself in our state government, emanating  
 14 from the majority party in both the legislative and executive branches,  
 15 with the desire to enlarge their powers by attempting to abridge the free  
 16 exercise of the right to vote, particularly for minority groups, and  
 17 infringing upon the execution of free and fair elections. This design  
 18 appears to have no other end except to consolidate the power of the  
 19 majority party in Nebraska, the obvious tendency and inevitable  
 20 consequence of which would be to obliterate completely the rights of  
 21 underserved populations to participate equitably in elections.  
 22 3. That we honor and celebrate the independence of the United States  
 23 judicial system in its prudent decisions to reject frivolous lawsuits  
 24 brought by former President of the United States, Donald J. Trump, and  
 25 his allies, including Nebraska Attorney General, Doug Peterson, alleging  
 26 voter fraud, of which there is no evidence.  
 27 4. That we in particular protest the ominous plan by members of this  
 1 Legislature to require voter identification, which harks back to the  
 2 racist practices of poll taxing and literacy tests, and a proposal to  
 3 erode Nebraska's long held tradition of allocating its electoral votes in  
 4 accordance with the will of voters in each congressional district.  
 5 5. That the Legislature requests cooperation from the Governor of  
 6 Nebraska, the Nebraska Attorney General, the President of the United  
 7 States, the President pro tempore of the United States Senate, the  
 8 Secretary of the United States Senate, the Speaker of the United States  
 9 House of Representatives, the Clerk of the United States House of  
 10 Representatives, and the presiding officers of each of the legislative  
 11 houses in the several states in defending the sacred right of all  
 12 American citizens to vote in free and fair elections.  
 13 6. That the Clerk of the Legislature shall transmit copies of this  
 14 resolution to the Governor of Nebraska, the Nebraska Attorney General,  
 15 the President of the United States, the President pro tempore of the  
 16 Senate, the Secretary of the United States Senate, the Speaker of the  
 17 United States House of Representatives, the Clerk of the United States

18 House of Representatives, and to the presiding officers of each of the  
19 legislative houses in the several states.

Senator Hunt filed the following amendment to LR107:

AM1384

1 1. Strike the original provisions and insert the following new  
2 provisions:  
3 NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED  
4 SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION:  
5 1. That we hereby reaffirm our solemn oaths of office by expressing  
6 a firm resolution to maintain and defend the viability of our planet and  
7 its natural resources from the urgent existential threat of climate  
8 change and to support legislation that will move Nebraska toward a clean  
9 energy economy.  
10 2. That we are greatly alarmed that a faction of state and federal  
11 legislative leaders have failed to acknowledge the established science of  
12 climate change, higher frequency of extreme weather events, and growing  
13 effects of climate change on the economy of the United States. Further,  
14 this failure by state and federal legislative leaders is a betrayal of  
15 the United States Declaration of Independence, which declares a right to  
16 "life, liberty and the pursuit of happiness", which is contingent upon a  
17 habitable planet and a natural environment capable of sustaining human,  
18 animal, and plant life.  
19 3. That we express distress at the Donald J. Trump presidential  
20 administration's actions to abandon protections for public lands and roll  
21 back Environmental Protection Agency rules.  
22 4. That we are grateful for President Joseph R. Biden's leadership  
23 in swiftly and decisively taking action to revoke the permit for the  
24 dangerous proposed Keystone XL Pipeline construction project, which would  
25 threaten to wreak environmental havoc on its path through Nebraska and  
26 his directives issued to protect air and water quality and public lands  
27 across the nation.  
1 5. That the Legislature requests cooperation from the Governor of  
2 Nebraska, the Nebraska Attorney General, the President of the United  
3 States, the President pro tempore of the United States Senate, the  
4 Secretary of the United States Senate, the Speaker of the United States  
5 House of Representatives, the Clerk of the United States House of  
6 Representatives, and the presiding officers of each of the legislative  
7 houses in the several states in taking decisive action to minimize the  
8 impacts of climate change we are already facing and to prevent further  
9 damage to our planet and ecosystems.  
10 6. That the Clerk of the Legislature shall transmit copies of this  
11 resolution to the Governor of Nebraska, the Nebraska Attorney General,  
12 the President of the United States, the President pro tempore of the  
13 Senate, the Secretary of the United States Senate, the Speaker of the  
14 United States House of Representatives, the Clerk of the United States  
15 House of Representatives, and to the presiding officers of each of the  
16 legislative houses in the several states.

Senator Hunt filed the following amendment to LR107:

AM1385

1 1. Strike the original provisions and insert the following new  
2 provisions:  
3 NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED  
4 SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION:  
5 1. That we hereby reaffirm our solemn oaths of office by expressing  
6 a firm resolution to maintain and defend the right of every child in  
7 America to have access to nutritious meals, including our full support  
8 for state and federal legislation targeted at addressing childhood

9 hunger.

10 2. That we express distress at Nebraska's outdated, moralistic, and  
 11 unpopular law preventing access to food assistance for people who have  
 12 completed terms of parole, probation, or post-release supervision for a  
 13 past drug conviction. We further recognize that the ban, which only some  
 14 states have adopted, is rooted in systemic racism and the failed War on  
 15 Drugs.

16 3. That we commend the strategy revealed by the federal executive  
 17 branch in the American Families Plan to take decisive action to mitigate  
 18 childhood hunger by providing children and their parents with nutritional  
 19 resources year-round, regardless of whether the children are in the  
 20 classroom. We celebrate the Biden administration's plan to expand the  
 21 Summer Electronic Benefit Transfer for Children Program and make this  
 22 program permanent, expand programs that offer free school meals to all  
 23 children, and institute automatic eligibility for free school meals.

24 4. That we further commend the executive branch for including  
 25 measures in its American Families Plan that would provide much-needed  
 26 assistance to low-income households, including restoring access to the  
 27 Supplemental Nutrition Assistance Program for individuals with certain  
 1 drug convictions, many of whom are parents of children facing food  
 2 insecurity. We recognize that it is the children who stand to benefit  
 3 most as a result of this policy change with regard to their academic  
 4 performance and health outcomes.

5 5. That access to quality food for parents and their children facing  
 6 economic insecurity is a fundamental component of the values expounded in  
 7 the Fifth Amendment to the Constitution of the United States, which  
 8 states that "No person shall be . . . deprived of life, liberty, or  
 9 property, without due process of law . . ." and that the right to be free  
 10 from hunger is inextricable from the right of liberty and the obtainment  
 11 of happiness as enumerated and recognized by the founders of this nation.

12 6. That the Legislature requests cooperation from the Governor of  
 13 Nebraska, the Nebraska Attorney General, the President of the United  
 14 States, the President pro tempore of the United States Senate, the  
 15 Secretary of the United States Senate, the Speaker of the United States  
 16 House of Representatives, the Clerk of the United States House of  
 17 Representatives, and the presiding officers of each of the legislative  
 18 houses in the several states in defending the Constitution of the United  
 19 States, the several states, and the American people in the fight against  
 20 hunger.

21 7. That the Clerk of the Legislature shall transmit copies of this  
 22 resolution to the Governor of Nebraska, the Nebraska Attorney General,  
 23 the President of the United States, the President pro tempore of the  
 24 Senate, the Secretary of the United States Senate, the Speaker of the  
 25 United States House of Representatives, the Clerk of the United States  
 26 House of Representatives, and to the presiding officers of each of the  
 27 legislative houses in the several states.

Senator McDonnell filed the following amendment to LB406:  
AM1386

(Amendments to Standing Committee amendments, AM1092)

1 1. On page 4, after line 11 insert the following new subsection:

2 "(6) The special legislative committee shall terminate on December  
 3 31, 2022."



**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 137.** Introduced by Aguilar, 35; Brewer, 43.

**PURPOSE:** The purpose of this interim study is to assess the operations and practices of the Central Nebraska Veterans' Home. The veterans' home is the newest of the four veterans' homes in the state and opened on January 16, 2019, as a skilled nursing facility located in Kearney with two hundred twenty-five beds. The interim study is intended to determine the level of legislative assistance and support required by the veterans' home.

The study shall include, but not be limited to:

1. A statistical analysis of historical occupancy and staffing levels;
2. An analysis of the workforce available to and the current hiring practices of the veterans' home; and
3. The level of communication between the veterans' home and stakeholders in the state and community and, if needed, ways to improve such communication.

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

1. That the Government, Military and Veterans 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.

**NOTICE OF COMMITTEE HEARING(S)**

Redistricting  
Room 1524

Tuesday, May 18, 2021 8:00 a.m.  
LR134

(Signed) Lou Ann Linehan, Chairperson

**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Williams name added to LB236.

Senator Pahls name added to LR128.

Senator Linehan name added to LR134.

**VISITOR(S)**

The Doctor of the Day was Dr. Rachel Blake of Lincoln.

**ADJOURNMENT**

At 6:01 p.m., on a motion by Senator Bostar, the Legislature adjourned until 9:00 a.m., Wednesday, May 12, 2021.

Patrick J. O'Donnell  
Clerk of the Legislature