

EIGHTH DAY - JANUARY 15, 2021

LEGISLATIVE JOURNAL

ONE HUNDRED SEVENTH LEGISLATURE

FIRST SESSION

EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, January 15, 2021

PRAYER

The prayer was offered by Senator McCollister.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Senator Williams presiding.

The roll was called and all members were present except Senators Flood, Geist, Gragert, Hilkemann, Lindstrom, McDonnell, Moser, and Pahls who were excused; and Senators Briese and Vargas who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the seventh day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB314	Banking, Commerce and Insurance
LB315	Judiciary
LB316	Judiciary
LB317	Transportation and Telecommunications
LB318	Revenue
LB319	Judiciary
LB320	Judiciary
LB321	Judiciary
LB322	Education
LB323	Education
LB324	Agriculture
LB325	Health and Human Services

LB326	Judiciary
LB327	Education
LB328	Health and Human Services
LB329	Revenue
LB330	Judiciary
LB331	Judiciary
LB332	Urban Affairs
LB333	Judiciary
LB334	Judiciary
LB335	Judiciary
LB336	Natural Resources
LB337	Banking, Commerce and Insurance
LB338	Transportation and Telecommunications
LB339	Transportation and Telecommunications
LB340	Appropriations
LB341	Appropriations
LB342	Appropriations
LB343	Transportation and Telecommunications
LB344	Transportation and Telecommunications
LB345	Government, Military and Veterans Affairs
LB346	Revenue
LB347	Revenue
LB348	Judiciary
LB349	Government, Military and Veterans Affairs
LB350	Revenue
LB351	Health and Human Services
LB352	Judiciary
LB353	Appropriations
LB354	Judiciary
LB355	Judiciary
LB356	Health and Human Services
LB357	Judiciary
LB358	Judiciary
LB359	Education
LB360	Judiciary
LB361	Appropriations
LB362	Government, Military and Veterans Affairs
LB363	Banking, Commerce and Insurance
LB364	Revenue
LB365	Appropriations
LB366	Revenue
LB367	Revenue
LB368	Government, Military and Veterans Affairs
LB369	Government, Military and Veterans Affairs
LB370	Judiciary
LB371	General Affairs
LB372	Judiciary
LB373	Banking, Commerce and Insurance
LB374	Health and Human Services

LB375 Banking, Commerce and Insurance
LB376 Health and Human Services
LB377 Revenue
LB378 Education
LR18CA Executive Board
LR20CA Judiciary
LR21CA Education

(Signed) Dan Hughes, Chairperson
Executive Board

REPORTS

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

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 14, 2021, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

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

Jensen Rogert Associates, Inc.
Trilogy Integrated Resources, LLC
Kollasch, Keith
Nebraska Firearms Owners Association (NFOA)
McLaren, Jay
Medica
Nebraska Strategies
Lancaster County Agricultural Society, Inc.
USIC
Ostrow, Sean
DraftKings Inc.
Radcliffe, Walter H. of Radcliffe Gilbertson & Brady
Museum of Nebraska Art (MONA)
Nebraska Psychiatric Society
Orsted
War Horse Gaming, LLC

ANNOUNCEMENT(S)

The Revenue Committee elected Senator Lindstrom as Vice Chairperson.

ANNOUNCEMENT(S)

Priority designation(s) received:

Gragert - LB387

BILLS ON FIRST READING

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

LEGISLATIVE BILL 420. Introduced by Pahls, 31.

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

LEGISLATIVE BILL 421. Introduced by Stinner, 48.

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

LEGISLATIVE BILL 422. Introduced by Briese, 41.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701.02, 77-2701.36, 77-2701.41, 77-2704.26, 77-2704.45, 77-2713, 77-27,132, and 77-27,223, Reissue Revised Statutes of Nebraska, and sections 77-2701, 77-2701.04, 77-2701.16, 77-2701.32, 77-2703, 77-2703.01, and 77-2711, Revised Statutes Cumulative Supplement, 2020; to change the sales tax rate; to define and redefine terms; to impose sales and use taxes on additional services as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 423. Introduced by Lathrop, 12.

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

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

A BILL FOR AN ACT relating to zoning restrictions; to amend sections 23-114, 23-114.01, 23-114.05, 66-914, and 72-272, Reissue Revised

Statutes of Nebraska, and section 23-172, Revised Statutes Cumulative Supplement, 2020; to define a term; to require county zoning provisions prior to construction of wind energy generation projects as prescribed; to provide for fees as prescribed; to change provisions relating to county zoning resolutions, violations, and codes; to eliminate provisions relating to variances or exceptions from zoning regulations; to provide limitations on agreements relating to school lands; and to repeal the original sections.

LEGISLATIVE BILL 425. Introduced by Health and Human Services Committee: Arch, 14, Chairperson; Cavanaugh, M., 6; Day, 49; Hansen, B., 16; Murman, 38; Walz, 15; Williams, 36.

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

LEGISLATIVE BILL 426. Introduced by Health and Human Services Committee: Arch, 14, Chairperson; Cavanaugh, M., 6; Day, 49; Hansen, B., 16; Murman, 38; Walz, 15; Williams, 36.

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

LEGISLATIVE BILL 427. Introduced by Health and Human Services Committee: Arch, 14, Chairperson; Cavanaugh, M., 6; Day, 49; Hansen, B., 16; Murman, 38; Walz, 15; Williams, 36.

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

LEGISLATIVE BILL 428. Introduced by Health and Human Services Committee: Arch, 14, Chairperson; Cavanaugh, M., 6; Day, 49; Hansen, B., 16; Murman, 38; Walz, 15; Williams, 36.

A BILL FOR AN ACT relating to youth rehabilitation and treatment centers; to amend section 83-102, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to educational programming; and to repeal the original section.

LEGISLATIVE BILL 429. Introduced by Health and Human Services Committee: Arch, 14, Chairperson; Cavanaugh, M., 6; Day, 49; Hansen, B., 16; Murman, 38; Walz, 15; Williams, 36.

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

LEGISLATIVE BILL 430. Introduced by Revenue Committee: Linehan, 39, Chairperson; Albrecht, 17; Briese, 41; Friesen, 34; Lindstrom, 18.

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

LEGISLATIVE BILL 431. Introduced by Revenue Committee: Linehan, 39, Chairperson; Albrecht, 17; Briese, 41; Friesen, 34; Lindstrom, 18.

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

LEGISLATIVE BILL 432. Introduced by Revenue Committee: Linehan, 39, Chairperson; Albrecht, 17; Briese, 41; Friesen, 34; Lindstrom, 18.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.03 and 77-2734.02, Reissue Revised Statutes of Nebraska, and section 77-2716, Revised Statutes Cumulative Supplement, 2020; to change income tax rates; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 433. Introduced by Revenue Committee: Linehan, 39, Chairperson; Albrecht, 17; Briese, 41; Friesen, 34; Lindstrom, 18.

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

LEGISLATIVE BILL 434. Introduced by Revenue Committee: Linehan, 39, Chairperson; Albrecht, 17; Briese, 41; Friesen, 34; Lindstrom, 18.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-382, 77-385, and 77-5731, Reissue Revised Statutes of Nebraska, and section 77-6837, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to tax expenditure reports and certain joint hearings of

the Revenue Committee and Appropriations Committee of the Legislature; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 435. Introduced by Hansen, B., 16.

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

LEGISLATIVE BILL 436. Introduced by Hansen, B., 16.

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

LEGISLATIVE BILL 437. Introduced by Hansen, B., 16.

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

LEGISLATIVE BILL 438. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Labor.

LEGISLATIVE BILL 439. Introduced by Hansen, M., 26.

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

LEGISLATIVE BILL 440. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to the Nebraska Fair Employment Practice

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

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

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

LEGISLATIVE BILL 442. Introduced by Hansen, M., 26.

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

LEGISLATIVE BILL 443. Introduced by Hansen, M., 26.

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

LEGISLATIVE BILL 444. Introduced by Hansen, M., 26.

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

LEGISLATIVE BILL 445. Introduced by Hansen, M., 26.

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

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

A BILL FOR AN ACT relating to housing; to adopt the Nebraska Housing

Index and Financing Investment System Act.

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

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

LEGISLATIVE BILL 448. Introduced by Morfeld, 46; Bostar, 29.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-4,115, Revised Statutes Cumulative Supplement, 2020; to provide for a surcharge on operator's licenses and permits and state identification cards for the Nebraska State Patrol Retirement System; and to repeal the original section.

LEGISLATIVE BILL 449. Introduced by Wishart, 27.

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

LEGISLATIVE BILL 450. Introduced by McKinney, 11.

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

LEGISLATIVE BILL 451. Introduced by McKinney, 11; Cavanaugh, M., 6.

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

LEGISLATIVE BILL 452. Introduced by McKinney, 11; Cavanaugh, J., 9.

A BILL FOR AN ACT relating to schools; to adopt the Financial Literacy Act.

LEGISLATIVE BILL 453. Introduced by McKinney, 11; Cavanaugh, J., 9.

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

and to repeal the original sections.

LEGISLATIVE BILL 454. Introduced by Friesen, 34.

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

LEGISLATIVE BILL 455. Introduced by Friesen, 34.

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

LEGISLATIVE BILL 456. Introduced by Friesen, 34.

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

LEGISLATIVE BILL 457. Introduced by McCollister, 20.

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

LEGISLATIVE BILL 458. Introduced by McCollister, 20.

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

LEGISLATIVE BILL 459. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-4001, 77-4002, 77-4007, and 77-4025, Reissue Revised Statutes of

Nebraska, and sections 71-7611 and 77-2602, Revised Statutes Cumulative Supplement, 2020; to state intent regarding use of funds in the Nebraska Health Care Cash Fund; to increase the cigarette tax and distribute the tax proceeds as prescribed; to define and redefine terms under the Tobacco Products Tax Act; to distribute tobacco products tax proceeds as prescribed; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

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

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

LEGISLATIVE BILL 461. Introduced by Pansing Brooks, 28; Blood, 3; Linehan, 39; Sanders, 45.

A BILL FOR AN ACT relating to the human trafficking task force; to amend section 81-1430, Revised Statutes Cumulative Supplement, 2020; to require placement of human trafficking informational posters in casinos; and to repeal the original section.

LEGISLATIVE BILL 462. Introduced by Dorn, 30.

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

LEGISLATIVE BILL 463. Introduced by Arch, 14.

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

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

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

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

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

LEGISLATIVE BILL 466. Introduced by Linehan, 39; Albrecht, 17; Blood, 3; Day, 49; McKinney, 11; Slama, 1; Wayne, 13.

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

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

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

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

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

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

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

LEGISLATIVE BILL 470. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to decedents' estates; to adopt the Uniform Powers of Appointment Act.

LEGISLATIVE BILL 471. Introduced by DeBoer, 10.

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

LEGISLATIVE BILL 472. Introduced by DeBoer, 10.

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

LEGISLATIVE BILL 473. Introduced by DeBoer, 10.

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

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

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

LEGISLATIVE BILL 475. Introduced by Wishart, 27; Hansen, M., 26; Hunt, 8; Morfeld, 46.

A BILL FOR AN ACT relating to initiative and referendum petitions; to amend section 32-1405, Revised Statutes Cumulative Supplement, 2020; to require the Attorney General to issue an opinion with respect to whether an initiative measure contains more than one subject as prescribed; and to repeal the original section.

LEGISLATIVE BILL 476. Introduced by Blood, 3; Cavanaugh, J., 9; Cavanaugh, M., 6; Day, 49; Hansen, B., 16; Hansen, M., 26; Hunt, 8; Linehan, 39; Morfeld, 46; Murman, 38; Pansing Brooks, 28; Sanders, 45; Walz, 15; Wishart, 27.

A BILL FOR AN ACT relating to the Stroke System of Care Act; to amend sections 71-4201 and 81-664, Reissue Revised Statutes of Nebraska; to provide for a quality improvement plan, registry, and data oversight process; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

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

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

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

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

LEGISLATIVE BILL 479. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to the Convention Center Facility Financing Assistance Act; to amend section 13-2610, Revised Statutes Cumulative Supplement, 2020; to change the membership of a committee as prescribed; and to repeal the original section.

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

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

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

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

provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 482. Introduced by Cavanaugh, J., 9.

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

LEGISLATIVE BILL 483. Introduced by Cavanaugh, J., 9.

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

LEGISLATIVE BILL 484. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-204, 28-518, and 29-2204.02, Reissue Revised Statutes of Nebraska, and sections 28-105, 28-201, and 83-1,122.01, Revised Statutes Cumulative Supplement, 2020; to provide for a new felony classification; to change penalties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 485. Introduced by DeBoer, 10.

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

LEGISLATIVE BILL 486. Introduced by Day, 49; Blood, 3; Bostar, 29; Brandt, 32; Cavanaugh, J., 9; Cavanaugh, M., 6; Hansen, M., 26; Walz, 15.

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

RESOLUTION(S)

LEGISLATIVE RESOLUTION 24CA. Introduced by Wishart, 27; Hansen, M., 26; Hunt, 8; Morfeld, 46.

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

Section 1. At the general election in November 2022 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 2:

III-2 The first power reserved by the people is the initiative whereby laws may be enacted and constitutional amendments adopted by the people independently of the Legislature. This power may be invoked by petition wherein the proposed measure shall be set forth at length. If the petition be for the enactment of a law, it shall be signed by seven percent of the registered voters of the state, and if the petition be for the amendment of the Constitution, the petition therefor shall be signed by ten percent of such registered voters. In all cases the registered voters signing such petition shall be so distributed as to include five percent of the registered voters of each of two-fifths of the counties of the state, and when thus signed, the petition shall be filed with the Secretary of State who shall submit the measure thus proposed to the electors of the state at the first general election held not less than four months after such petition shall have been filed. The same measure, either in form or in essential substance, shall not be submitted to the people by initiative petition, either affirmatively or negatively, more often than once in three years. If conflicting measures submitted to the people at the same election be approved, the one receiving the highest number of affirmative votes shall thereby become law as to all conflicting provisions. The constitutional limitations as to the scope and subject matter of statutes enacted by the Legislature shall apply to those enacted by the initiative. Initiative measures shall contain only one general subject which may include provisions that have a connection to the general subject of the measure. The Legislature shall not amend, repeal, modify, or impair a law enacted by the people by initiative, contemporaneously with the adoption of this initiative measure or at any time thereafter, except upon a vote of at least two-thirds of all the members of the Legislature.

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

A constitutional amendment to change the one-subject requirement for initiative measures.

For

Against.

LEGISLATIVE RESOLUTION 25. Introduced by Health and Human Services Committee: Arch, 14, Chairperson; Cavanaugh, M., 6; Day, 49; Hansen, B., 16; Murman, 38; Walz, 15; Williams, 36.

WHEREAS, the One Hundredth Sixth Legislature, Second Session, passed Laws 2020, LB1144, creating the Youth Rehabilitation and Treatment Center Special Oversight Committee of the Legislature in response to deteriorating conditions at the Youth Rehabilitation and Treatment Center-Geneva and in response to the Department of Health and Human Services proposed business plan to reorganize the youth rehabilitation and treatment center model; and

WHEREAS, on March 13, 2020, Governor Pete Ricketts issued an emergency declaration in order to address the COVID-19 pandemic in Nebraska. As a result, the Legislature was recessed for a prolonged period from March 13, 2020, until July 20, 2020, and Legislative Bill 1144 was not

signed into law until August 11, 2020, giving the Youth Rehabilitation and Treatment Center Special Oversight Committee only a brief window of time to carry out its duties as set forth in Laws 2020, LB1144; and

WHEREAS, the Youth Rehabilitation and Treatment Center Special Oversight Committee toured the youth rehabilitation and treatment center facilities, received briefings from officials and stakeholders, and held a public hearing to study the quality of care and related issues at the youth rehabilitation and treatment centers; and

WHEREAS, the Youth Rehabilitation and Treatment Center Special Oversight Committee issued a report with its findings and recommendations to the Legislature on December 15, 2020, which included a recommendation to reappoint members to the committee and extend the committee until December 31, 2021; and

WHEREAS, the Youth Rehabilitation and Treatment Center Special Oversight Committee of the Legislature terminated on December 31, 2020; and

WHEREAS, continued legislative input and oversight over the youth rehabilitation and treatment centers is needed as the Department of Health and Human Services develops and implements the five-year operations plan as required by section 43-427; and

WHEREAS, the safety, quality of life, and right to a safe treatment environment for youth in the youth rehabilitation and treatment centers continues to be of the utmost concern to the Legislature.

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

1. That the Executive Board of the Legislative Council shall appoint a special committee of the Legislature to be known as the Youth Rehabilitation and Treatment Center Special Oversight Committee of the Legislature. The committee shall consist of no more than nine members of the Legislature appointed by the Executive Board. Members shall include the chairperson of the Health and Human Services Committee of the Legislature, two other members of the Health and Human Services Committee of the Legislature, one member of the Appropriations Committee of the Legislature, one member of the Education Committee of the Legislature, the chairperson of the Judiciary Committee of the Legislature, and one member of the Legislature from each legislative district in which a youth rehabilitation and treatment center is located. The Youth Rehabilitation and Treatment Center Special Oversight Committee shall elect a chairperson and vice-chairperson from the membership of the committee. The Executive Board may provide the committee with legal counsel, a committee clerk, and other staff as required by the committee from existing legislative staff. The committee may hold hearings and request and receive progress reports from the Department of Health and Human Services regarding the youth rehabilitation and treatment centers. The committee may issue subpoenas to compel the attendance of witnesses and the production of any papers, books, accounts, documents, and testimony.

2. The Youth Rehabilitation and Treatment Center Special Oversight Committee of the Legislature may study the quality of care and related issues at the youth rehabilitation and treatment centers. The committee shall provide oversight of the administration and operations, including funding, capacity, and staffing practices at the youth rehabilitation and treatment centers. The committee shall provide oversight for planning at the youth rehabilitation and treatment centers. The committee shall utilize existing studies, reports, and legislation developed to address the conditions existing at the youth rehabilitation and treatment centers. The committee shall not be limited to such studies, reports, or legislation. The committee shall issue a report with its findings and recommendations to the Legislature on or before December 15, 2021.

3. The Youth Rehabilitation and Treatment Center Special Oversight Committee of the Legislature shall terminate on December 31, 2021.

Laid over.

NOTICE OF COMMITTEE HEARING(S)

Agriculture
Room 1524

Tuesday, January 26, 2021 1:30 p.m.

LB90

LB91

(Signed) Steve Halloran, Chairperson

Business and Labor
Room 1524

Monday, January 25, 2021 9:30 a.m.

LB169

LB37

LB255

Monday, January 25, 2021 1:30 p.m.

LB260

LB298

LB249

(Signed) Ben Hansen, Chairperson

Education
Room 1525

Monday, January 25, 2021 9:30 a.m.
Early Childhood Education Report briefing per NE Statute 79-1103
Note: Invited testimony only

LB137
LB210

Monday, January 25, 2021 1:30 p.m.

LB135
LB153
LB323
LB288
LB287
LB286
LB289

(Signed) Lynne Walz, Chairperson

General Affairs
Room 1510

Monday, January 25, 2021 9:30 a.m.

LB70
LB75
LB152
LB312

(Signed) Tom Briese, Chairperson

Judiciary
Room 1113

Wednesday, January 27, 2021 9:30 a.m.

LB45
LB46
LB268
LB277

Wednesday, January 27, 2021 1:30 p.m.

LB128
LB205
LB246
LB320
LB358

(Signed) Steve Lathrop, Chairperson

Banking, Commerce and Insurance
Room 1507

Monday, January 25, 2021 9:30 a.m.

LB373

LB21

LB22

Monday, January 25, 2021 1:30 p.m.

LB77

LB280

Tuesday, January 26, 2021 9:30 a.m.

LB297

LB363

LB66

Tuesday, January 26, 2021 1:30 p.m.

LB248

LB23

(Signed) Matt Williams, Chairperson

Transportation and Telecommunications
Room 1113

Monday, January 25, 2021 9:30 a.m.

LB113

LB149

LB106

Monday, January 25, 2021 1:30 p.m.

LB174

LB78

LB302

(Signed) Curt Friesen, Chairperson

PROPOSED RULES CHANGES

The Rules Committee offered the following proposed rules changes:

Rules Committee Proposed Rule Change 1**Amend Rule 1, Sec. 1 and Rule 3, Sec. 2****Section 1. Officers to be Elected.** (a) At the commencement of each regular session in odd-numbered years the Legislature shall nominate from the floor and elect by secret ballot the following officers:

Speaker
Chairperson of Committee on Committees
Chairperson of Executive Board
Vice Chairperson of Executive Board
6 Members of Executive Board (See footnote)

Before the ballot is taken each person so nominated may make a public statement to the Legislature indicating what the Legislature may expect from him or her in the area of the responsibility of such office. The officers so elected shall hold such office for a period of two years.

The Legislature elects two from Legislative Districts 2, 3, 15, 16, 19, 21 through 29, 45, and 46; two from Legislative Districts 4 through 14, 18, 20, 31, 39, and 49; and two from Legislative Districts 1, 17, 30, 32 through 38, 40 through 44, 47, and 48. Speaker is member of Board; Chairperson of Appropriations is nonvoting member. RRS 50-401.01. These six members of the Executive Board shall be filled by a majority vote of all members of the respective caucus from which the positions represent, subject to approval of the Legislature.

(b) In the event a vacancy occurs on the Executive Board, the following shall apply:

(i) The Vice Chairperson shall serve as acting Chairperson upon the resignation or death of the Chairperson until the commencing of the next regular session of the Legislature, at which time the Legislature shall nominate from the floor and elect by secret ballot a Chairperson of the Executive Board for the balance of the original term.

(ii) Upon the resignation or death of the Speaker, during the interim, said position shall remain vacant until the next regular session or special session the Legislature convenes, at which time a Speaker shall be nominated from the floor and elected by secret ballot for the balance of the original term.

Upon the resignation or death of the Speaker during the session, a Speaker shall immediately be nominated from the floor and elected by secret ballot for the balance of the term.

(iii) In the event there is a vacancy of the Vice Chairperson of the Executive Board during the interim, said vacancy shall be filled pursuant to Rule 3, Section 8(c) until the commencing of the next regular session of the Legislature at which time the Legislature shall nominate from the floor and elect by secret ballot a Vice Chairperson of the Executive Board for the balance of the original term.

(iv) During session, a vacancy among the remaining six members of the Executive Board shall be filled by a majority vote of all members of the respective caucus from which the vacancy occurred, subject to approval of the Legislature. The individual so selected shall serve for the balance of the original term.

During the interim, a vacancy among the remaining six members of the Executive Board shall be filled by a majority vote of all members of the respective caucus from which the vacancy occurred, subject to approval of the Executive Board. The individual so selected shall serve for the balance of the original term.

Rule 3

Sec. 2. Appointment of Committees. (a) At the commencement of each biennium, the Legislature shall elect a Committee on Committees to consist of thirteen members, one at large who shall be chairperson, and four from Districts Number 2, 3, 15, 16, 19, 21 through 29, 45, and 46; four from Districts Number 4 through 14, 18, 20, 31, 39, and 49; and four from Districts Number 1, 17, 30, 32 through 38, 40 through 44, 47, and 48. These twelve members of the Committee on Committees shall be filled by a majority vote of all members of the respective caucus from which the positions represent, subject to approval of the Legislature.

(b) Immediately following chairmanship and Committee on Committees membership elections, the committee shall meet and, by a majority vote of all its members, submit to the Legislature a preliminary report of appointments to the remaining standing and select committees, each with the number of members as hereinafter set forth, unless otherwise provided for by rule or by statute. On the following day the Committee on Committees shall meet and, by a majority vote of all its members, submit to the Legislature a final report for its approval, appointments to the standing and select committees, each with a number of members as hereinafter set forth, unless otherwise provided for by rule or by statute. Once the final report is presented to the Legislature, no amendments shall be considered. If the Legislature, by majority of the elected members, fails to adopt the final report of the Committee on Committees, such report shall be returned to the committee for further action.

(c) The membership of all standing and select committees shall be appointed at the beginning of each session beginning in odd-numbered years and shall continue until the regular session in the next subsequent odd-numbered year.

(d) During session, all vacancies on standing or select committees created by the death or resignation of a member shall be filled by a majority vote of all members of the Committee on Committees unless otherwise provided for by rule or statute. A vacancy within the Committee on Committees shall be filled by a meeting of the caucus established pursuant to Rule 3, Section 2(a).

During the interim, all vacancies on standing or select committees created by the death or resignation of a member shall be filled by a majority vote of all members of the Executive Board.

Rules Committee Proposed Rule Change 2**Amend Rule 7, Sec. 2**

Sec. 2. Voting, Electric Roll Call. (a) All votes shall be taken viva voca unless otherwise provided for herein. Questions shall be distinctly put in this form, to wit: "Those who are in favor of the question say 'aye'; those who are opposed to the question say 'nay.' "

(b) If a machine vote is called for or if the presiding officer is in doubt, he or she shall cause the result to be obtained by means of the electric roll call system, and in such event shall accept only machine tallied votes except that voice votes shall be accepted on a motion before the house while the house is under call. The presiding officer may vote by voice. Only the totals shall be printed in the Journal. Once having voted aye or nay, senators may call in a change to not voting prior to the locking of the voting board.

(c) Upon the final passage of a bill, or of a resolution if the same required the same consideration as a bill, the vote shall be by yeas and nays, and the electric roll call system shall be used. Voice votes shall be accepted on Final Reading.

(d) Whenever the "ayes" and "nays" are taken by machine vote, no member shall be permitted to vote after the decision is announced by the presiding officer or the Clerk. Votes not registered on the electric roll call system shall not be counted for or against a proposition. In announcing such vote, the Clerk shall announce the ayes, the nays, those present and not voting, those absent and not voting, and those excused and not voting, and on any action to advance or amend bills, these totals shall be set forth in the Journal. Voice votes shall be accepted on roll call or record votes. All roll call votes of the comprised membership shall be taken in alphabetical order starting with the first name that begins with the letter "A" or the letter closest to "A," except that any member may request a roll call vote in reverse alphabetical order, ~~unless the~~ The introducer of the motion or amendment under consideration ~~objects.~~ may object to the form of a roll call. A roll call in reverse alphabetical order shall start with the member's name that begins with "Z" or the letter closest to "Z."

(e) Only senators physically in the legislative chamber may vote.

Rules Committee Proposed Rule Change 3**Amend Rule 7, Sec. 1**

Section 1. Meeting Time, Restrictions. (a) The Legislature shall meet annually at 10:00 a.m. on the first Wednesday after the first Monday in January of each year and thereafter on each legislative day at 9:00 a.m., unless otherwise ordered by a majority vote of its members present and voting thereon. The Legislature shall remain in session until it shall adjourn sine die, but in no event shall it remain in session for longer than ninety (90) legislative days in odd-numbered years or sixty (60) legislative days in even-numbered years. This limitation may be suspended by a four-fifths vote of the elected senators. Each day the Legislature convenes shall be considered a legislative day.

Const. Art. III, Sec. 10.

(b) The order of business of the Legislature shall be as follows, except as otherwise provided by the Speaker.

- a. Prayer by the Chaplain
- b. Pledge of Allegiance
- ~~c. Roll call~~
- ~~d. e.~~ Call for correction of the Journal
- ~~e. d.~~ Petitions and memorials
- ~~f. e.~~ Notice of committee hearings and reports
- ~~g. f.~~ Bills on Final Reading
- ~~h. g.~~ Resolutions
- ~~i. h.~~ Introduction of bills and reading by title
- ~~j. i.~~ Consideration of bills on Select File
- ~~k. j.~~ Motions to reconsider
- ~~l. k.~~ Motions to advance bills from committee
- ~~m. l.~~ Other pending motions
- ~~n. m.~~ Unfinished business, including messages on President's desk
- ~~o. n.~~ Consideration of bills on General File
- ~~p. o.~~ Miscellaneous business

(c) Messages from the Governor may be received at any stage of the proceedings.

(d) Upon call for the introduction of bills, any member or any standing or special committee may introduce one or more bills.

Introduction of bills. Rule 6, Section 1.

AMENDMENT(S) - Print in Journal

Senator Linehan filed the following amendment to LB364:

[AM5](#)

1 1. On page 11, line 18 strike "may" and insert "shall".

Senator Linehan filed the following amendment to LB364:

[AM6](#)

1 1. On page 11, line 18 strike "may" and insert "shall".

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Pansing Brooks name added to LB20.

Senator Pahls name added to LB64.

Senator Blood name added to LB83.

Senator Hunt name added to LB83.

Senator Cavanaugh, M. name added to LB88.

Senator Hunt name added to LB171.

Senator Hunt name added to LB172.

Senator Hunt name added to LB258.

Senator Brewer name added to LB263.

Senator Hunt name added to LB264.

Senator Hunt name added to LB266.

Senator Hunt name added to LB311.

Senator Bostar name added to LB327.

Senator McKinney name added to LB335.

Senator Sanders name added to LB388.

Senator Brewer name added to LB388.

Senator Hansen, M. name added to LB394.

Senator Brewer name added to LB395.

Senator Hunt name added to LB396.

Senator Brewer name added to LB396.

Senator Brewer name added to LB408.

ADJOURNMENT

At 11:35 a.m., on a motion by Speaker Hilgers, the Legislature adjourned until the call of the Speaker.

Patrick J. O'Donnell
Clerk of the Legislature

