

**FOURTEENTH DAY - JANUARY 26, 2022****LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE  
SECOND SESSION****FOURTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, January 26, 2022

**PRAYER**

The prayer was offered by Pastor Michael Davis, Retired Methodist Clergyman, Gretna.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Erdman.

**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 Brewer who was excused; and Senators M. Cavanaugh, B. Hansen, Hunt, McCollister, Pansing Brooks, Walz, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the thirteenth day was approved.

**MESSAGE(S) FROM THE GOVERNOR**

January 24, 2022

Mr. President, Speaker Hilgers  
and Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Hilgers and Members of the Legislature:

Contingent upon your approval, the following individual is being

reappointed to the Nebraska Motor Vehicle Industry Licensing Board.

Thomas R. McCaslin, 1740 N. D Street, Broken Bow, NE 68822

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

**NOTICE OF COMMITTEE HEARING(S)**  
Health and Human Services  
Room 1510 1:30 PM

Thursday, February 3, 2022  
LB1068  
LB1230

Wednesday, February 2, 2022  
LB812  
LB752  
LB1249  
LB770

(Signed) John Arch, Chairperson

**RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LR275 was adopted.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LR275.

**GENERAL FILE**

**LEGISLATIVE BILL 723.** Senator M. Hansen withdrew his amendment, [FA64](#), found on page 444.

Senator M. Hansen renewed his amendment, [AM1656](#), found on page 430.

Senator M. Hansen withdrew his amendment.

Senator Blood offered her amendment, [AM1663](#), found on page 430.

Senator M. Cavanaugh offered the following motion:

[MO133](#)

Bracket until March 17, 2022.

The M. Cavanaugh motion to bracket failed with 4 ayes, 28 nays, 15 present and not voting, and 2 excused and not voting.

The Blood amendment lost with 5 ayes, 27 nays, 15 present and not voting, and 2 excused and not voting.

Senator Briese offered the following amendment:

[FA65](#)

P. 2 Line 25, strike from "the maximum" through line 30 and insert "Five Hundred Forty Eight million dollars" and P. 3 Line 2, strike from "the maximum" through "applicable" on line 7 and insert "Five Hundred Sixty million Seven Hundred thousand dollars".

The Briese amendment was adopted with 39 ayes, 0 nays, 8 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 11 present and not voting, and 2 excused and not voting.

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

Revenue  
Room 1524 1:30 PM

Wednesday, February 2, 2022

LB1094

LB801

LB985

LB1150

LB817

Thursday, February 3, 2022

LR272CA

LB860

LR283CA

LR281CA

LB1242

LR264CA

(Signed) Lou Ann Linehan, Chairperson

Appropriations  
Room 1003 1:30 PM

Wednesday, February 2, 2022

Agency 11 - Attorney General

Agency 12 - State Treasurer

Agency 14 - Public Service Commission  
Agency 22 - Insurance, Department of  
Agency 65 - Administrative Services, Department of  
LB911  
LB1151  
LB1197

Thursday, February 3, 2022  
Agency 5 - Supreme Court  
Agency 46 - Correctional Services, Department of  
Agency 64 - State Patrol, Nebraska  
LB1049  
LB1111

(Signed) John Stinner, Chairperson

Business and Labor  
Room 1003 1:30 PM

Monday, February 14, 2022  
LB935  
LB1018  
LB1028  
LB1069  
LB1040  
LB1098

Monday, February 28, 2022  
LB1083  
LB1084  
LB1130  
LB815  
LB1140  
LB834  
LB1029

(Signed) Ben Hansen, Chairperson

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

**LEGISLATIVE BILL 825.** Placed on Select File.

(Signed) Terrell McKinney, Chairperson

**ANNOUNCEMENT(S)**

Priority designation(s) received:

Legislative Performance Audit - LB937  
Legislative Performance Audit - LB1150

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

Senator Briese filed the following amendment to [LB723](#):

**[FA66](#)**

P. 2 line 25, strike from "the maximum" through line 30 and insert "Five Hundred Forty Eight million dollars" and P. 3 line 2, strike from "the maximum" through "applicable" on line 7 and insert "Five Hundred Sixty Million Seven Hundred Thousand dollars".

**GENERAL FILE**

**LEGISLATIVE BILL 450.** Title read. Considered.

Committee [AM739](#), found on page 961, First Session, 2021, was offered.

Senator McKinney offered his amendment, [AM1600](#), found on page 436, to the committee amendment.

**SENATOR WILLIAMS PRESIDING**

The McKinney amendment was adopted with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

The committee amendment, as amended, was adopted with 42 ayes, 0 nays, 3 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 2 present and not voting, and 4 excused and not voting.

**NOTICE OF COMMITTEE HEARING(S)**

Urban Affairs  
Room 1510 1:30 PM

Tuesday, February 8, 2022

LB713  
LB1065  
LB1060  
LB836  
LB725

(Signed) Justin Wayne, Chairperson

Executive Board  
Room 1525 12:00 PM

Thursday, February 3, 2022  
LR282CA

(Signed) Dan Hughes, Chairperson

Banking, Commerce and Insurance  
Room 1507 1:30 PM

Monday, February 14, 2022  
LB1092  
LB1127  
LB1215

Tuesday, February 15, 2022  
LB943  
LB1175  
LB1190

Tuesday, February 22, 2022  
LB1187  
LB1061  
LB948  
LB1258

Monday, February 28, 2022  
LB689  
LB718  
LB1188

Tuesday, March 1, 2022  
LB715

(Signed) Matt Williams, Chairperson

**SELECT FILE**

**LEGISLATIVE BILL 496A.** [ER100](#), found on page 417, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 568.** [ER93](#), found on page 1462, First Session, 2021, was adopted.

Senator Pansing Brooks offered her amendment, [AM1510](#), found on page 339.

Pending.

### MOTION - Suspend Rules

Senator B. Hansen offered his motion, found on page 428, to suspend Rule 3, Section 14, to permit scheduling a public hearing by the Business and Labor Committee in less than seven days.

The B. Hansen motion to suspend the rules prevailed with 34 ayes, 0 nays, 13 present and not voting, and 2 excused and not voting.

### NOTICE OF COMMITTEE HEARING(S)

Business and Labor  
Room 1003 1:30 PM

Monday, January 31, 2022

LB719  
LB1133  
LB1062  
LB871  
LB967  
LB1137

(Signed) Ben Hansen, Chairperson

### AMENDMENT(S) - Print in Journal

Senator B. Hansen filed the following amendment to LB906:

AM1675

1 1. Strike the original sections and all amendments thereto and  
2 insert the following new sections:  
3 Section 1. (1) For purposes of this section:  
4 (a) COVID-19 means the novel coronavirus identified as SARS-CoV-2;  
5 any disease caused by SARS-CoV-2, its viral fragments, or a virus  
6 mutation therefrom; and all conditions associated with the disease which  
7 are caused by SARS-CoV-2, its viral fragments, or a virus mutation  
8 therefrom;  
9 (b) Department means the Department of Health and Human Services;  
10 (c)(i) Employer means a person engaged in an industry who has one or  
11 more employees;  
12 (ii) Employer also includes any party whose business is financed in  
13 whole or in part under the Nebraska Investment Finance Authority Act  
14 regardless of the number of employees and includes the State of Nebraska,  
15 governmental agencies, and political subdivisions; and  
16 (iii) Employer does not include (A) the United States, a corporation  
17 wholly owned by the government of the United States, or an Indian tribe  
18 or (B) a bona fide private membership club, other than a labor  
19 organization, which is exempt from taxation under section 501(c) of the  
20 Internal Revenue Code;  
21 (d) Health care practitioner means a person licensed under (i) the  
22 Medicine and Surgery Practice Act to practice medicine and surgery or  
23 osteopathic medicine and surgery, (ii) the Medicine and Surgery Practice  
24 Act to practice as a physician assistant, or (iii) the Advanced Practice  
25 Registered Nurse Practice Act to practice as an advanced practice

26 registered nurse; and

27 (e) Vaccine exemption form means the form created by the department  
1 under subsection (2) of this section.

2 (2)(a) The department shall develop a vaccine exemption form for an  
3 individual to claim an exemption from receiving a COVID-19 vaccine as  
4 provided in this section. The department shall make the form available on  
5 the department's website within fifteen days after the effective date of  
6 this act.

7 (b) The form shall include a declaration by the individual seeking  
8 an exemption that:

9 (i) A health care practitioner has provided the individual with a  
10 signed written statement that, in the health care practitioner's opinion,  
11 receiving a COVID-19 vaccine would be injurious to the health and well-  
12 being of the individual; or

13 (ii) Receiving a COVID-19 vaccine would conflict with the  
14 individual's sincerely held religious belief, practice, or observance.

15 (3) An employer that requires applicants or employees to be  
16 vaccinated against COVID-19 shall allow for an exemption to such  
17 requirement for an individual who provides the employer with:

18 (a) A completed vaccine exemption form; and

19 (b) For an individual claiming an exemption based on the statement  
20 of a health care practitioner, a copy of such signed written statement.

21 (4) An employer may require an employee granted an exemption under  
22 this section to:

23 (a) Be periodically tested for COVID-19 at the employer's expense;  
24 and

25 (b) Wear or use personal protective equipment provided by the  
26 employer.

27 Sec. 2. Since an emergency exists, this act takes effect when  
28 passed and approved according to law.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 288.** Introduced by Morfeld, 46; Aguilar, 35; Albrecht, 17; Arch, 14; Blood, 3; Bostar, 29; Bostelman, 23; Brandt, 32; Briese, 41; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Day, 49; DeBoer, 10; Dorn, 30; Erdman, 47; Flood, 19; Friesen, 34; Geist, 25; Gragert, 40; Groene, 42; Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hilkemann, 4; Hughes, 44; Hunt, 8; Kolterman, 24; Lathrop, 12; Lindstrom, 18; Linehan, 39; Lowe, 37; McCollister, 20; McDonnell, 5; McKinney, 11; Moser, 22; Murman, 38; Pahls, 31; Pansing Brooks, 28; Sanders, 45; Slama, 1; Stinner, 48; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, Regent Emeritus Robert "Bob" Whitehouse devoted his life to being a kind, humble, and passionate educator, leader, and public servant; and

WHEREAS, Bob represented District 4 on the University of Nebraska Board of Regents from 2006 to 2018, twice serving as Chairperson; and

WHEREAS, Bob approached every task with the goal of making a positive and lasting difference in the lives of Nebraska's children and college students; and

WHEREAS, Bob was a dedicated teacher, coach, principal, mentor, volunteer, and public servant inspiring all of those around him; and

WHEREAS, Bob left the University of Nebraska system better than he found it and inspired all who served with him; and



WHEREAS, Bob, through his unparalleled service as a member of the Nebraska Board of Regents, improved the quality and accessibility of the University of Nebraska; and

WHEREAS, Bob passed away on January 22, 2022, at the age of seventy-seven and will be greatly missed by all Nebraskans, most especially by his wife Kim and family.

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

1. That the Legislature honors Regent Emeritus Robert "Bob" Whitehouse for his lifelong devotion to education and public service.
2. That the Legislature offers its condolences to the family of Regent Emeritus Bob Whitehouse.
3. That a copy of this resolution be sent to the family of Regent Emeritus Bob Whitehouse.

Laid over.

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

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

Senator Hunt name added to LB815.  
 Senator Morfeld name added to LB833.  
 Senator Hunt name added to LB842.  
 Senator Blood name added to LB849.  
 Senator Hunt name added to LB872.  
 Senator Hunt name added to LB881.  
 Senator Hunt name added to LB883.  
 Senator Hunt name added to LB920.  
 Senator Hunt name added to LB940.  
 Senator Hunt name added to LB946.  
 Senator Hunt name added to LB952.  
 Senator Hunt name added to LB991.  
 Senator Hunt name added to LB1002.  
 Senator Hunt name added to LB1018.  
 Senator Hunt name added to LB1024.  
 Senator Hunt name added to LB1052.  
 Senator Hunt name added to LB1073.  
 Senator Hunt name added to LB1075.  
 Senator Brewer name added to LB1080.  
 Senator Day name added to LB1080.  
 Senator Hunt name added to LB1114.  
 Senator Hunt name added to LB1116.  
 Senator Hunt name added to LB1117.  
 Senator Hunt name added to LB1129.  
 Senator Hunt name added to LB1133.  
 Senator Hunt name added to LB1141.

Senator Hunt name added to LB1142.  
Senator Hunt name added to LB1154.  
Senator Hunt name added to LB1155.  
Senator Hunt name added to LB1191.  
Senator Hunt name added to LB1201.  
Senator Hunt name added to LB1203.  
Senator Hunt name added to LB1205.  
Senator Hunt name added to LB1238.  
Senator Hunt name added to LB1252.  
Senator Hunt name added to LB1275.  
Senator Hunt name added to LB1276.

### **VISITOR(S)**

Visitors to the Chamber were Brooks Roberts, Chadron; Michael H. McCabe, Lombard, Illinois; and sixth- through eighth-grade students from Jesuit Academy & Holy Name School, Omaha.

The Doctor of the Day was Dr. Dale Michels of Walton.

### **ADJOURNMENT**

At 11:55 a.m., on a motion by Senator Dorn, the Legislature adjourned until 9:00 a.m., Thursday, January 27, 2022.

Patrick J. O'Donnell  
Clerk of the Legislature