

TWENTY-EIGHTH DAY - FEBRUARY 17, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****TWENTY-EIGHTH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, February 17, 2022

PRAYER

The prayer was offered by Pastor Nathan Metzger, American Lutheran Church of Adams, Adams.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Sanders.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Hughes presiding.

The roll was called and all members were present except Senators Walz and Wishart who were excused; and Senators Bostar, M. Cavanaugh, Day, B. Hansen, Hunt, Morfeld, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 582, line 26, strike "AM" and insert "ER".
The Journal for the twenty-seventh day was approved as corrected.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 16, 2022, 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

Christensen, Graham
GC Resolve, LLC
Humphrey, Hailey

Nebraska Association of Service Providers
 Jensen Rogert Associates, Inc.
 All Lines Interlocal Cooperative Aggregate Pool (ALICAP)
 Karbo, Michael
 American Petroleum Institute
 Kelley Plucker, LLC
 City of Omaha
 Lindahl, Leah
 Healthcare Distribution Alliance
 McDonald, Edison
 GC Resolve, LLC
 Nebraska Strategies
 Western Irrigation District
 Schrag, Wendy
 Fresenius Medical Care North America
 Thomas, Laura
 GC Resolve, LLC

REPORTS

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

ANNOUNCEMENT(S)

Priority designation(s) received:

Health and Human Services - LB752
 Health and Human Services - LB1173

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 767. Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

COMMITTEE REPORT(S)

Agriculture

LEGISLATIVE BILL 744. Placed on General File with amendment.

[AM1932](#)

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. Section 54-199, Reissue Revised Statutes of Nebraska, is
 4 amended to read:
 5 54-199 (1) To record a brand, a person shall forward to the Nebraska
 6 Brand Committee a facsimile or description of the brand desired to be
 7 recorded, a written application, and a recording fee and research fee
 8 established by the brand committee. Such recording fee may vary according
 9 to the number of locations and methods of brand requested but shall not

10 be more than one hundred fifty dollars per application. Such research fee
11 shall be charged on all applications and shall not be more than fifty
12 dollars per application.

13 (2) For recording of visual brands, upon receipt of a facsimile of
14 the brand, an application, and the required fee, the brand committee
15 shall determine compliance with the following requirements:

16 (a) The brand shall be an identification mark that is applied to the
17 hide of a live animal by hot iron branding or by either hot iron branding
18 or freeze branding. The brand shall be on either side of the animal in
19 any one of three locations, the shoulder, ribs, or hip;

20 (b) The brand is not recorded under the name of any other person and
21 does not conflict with or closely resemble a prior recorded brand;

22 (c) The brand application specifies the left or right side of the
23 animal and the location on that side of the animal where the brand is to
24 be placed;

25 (d) The brand is not recorded as a trade name nor as the name of any
26 profit or nonprofit corporation, unless such trade name or corporation is
27 of record, in current good standing, with the Secretary of State; and

1 (e) The brand is, in the judgment of the brand committee, legible,
2 adequate, and of such a nature that the brand when applied can be
3 properly read and identified by employees of the brand committee.

4 (3) All visual brands shall be recorded as a hot iron brand only
5 unless a co-recording as a freeze brand or other approved method of
6 branding is requested by the applicant. The brand committee shall approve
7 co-recording a brand as a freeze brand unless the brand would not be
8 distinguishable from in-herd identification applied by freeze branding.

9 (4) If the facsimile, the description, or the application does not
10 comply with the requirements of this section, the brand committee shall
11 not record such brand as requested but shall return the recording fee to
12 the forwarding person. The power of examination and rejection is vested
13 in the brand committee, and if the brand committee determines that the
14 application for a visual brand falls within the category set out in
15 subdivision (2)(e) of this section, it shall decide whether or not a
16 recorded brand shall be issued. The brand committee shall make such
17 examination as promptly as possible. If the brand is recorded, the
18 ownership vests from the date of filing of the application.

19 (5) The brand committee may by rule and regulation provide for the
20 use of approved nonvisual identifiers for purposes of enrolling cattle
21 identified by such method of livestock identification. Such method of
22 livestock identification shall be approved only if it functions as
23 satisfactory evidence of ownership for the purpose of enrollment of
24 cattle and for electronic inspection authorized under section 54-1,108.
25 Before approving any nonvisual identifier, the brand committee shall
26 consider the degree to which such method may be susceptible to error,
27 failure, or fraudulent alteration. Any rule or regulation shall be
28 adopted and promulgated only after public hearing conducted in compliance
29 with the Administrative Procedure Act.

30 (6) Any information that a person provides to the brand committee
31 for the purpose of inspection is not a public record subject to
1 disclosure under sections 84-712 to 84-712.09.

2 Sec. 2. Original section 54-199, Reissue Revised Statutes of
3 Nebraska, is repealed.

4 Sec. 3. Since an emergency exists, this act takes effect when
5 passed and approved according to law.

LEGISLATIVE RESOLUTION 284. Reported to the Legislature for
further consideration.

(Signed) Steve Halloran, Chairperson

GENERAL FILE

LEGISLATIVE BILL 939. The Hunt motion, [MO147](#), found on page 582, to recommit to Revenue, was renewed.

PRESIDENT FOLEY PRESIDING

Pending.

COMMITTEE REPORT(S)

General Affairs

LEGISLATIVE BILL 866. Placed on General File.

(Signed) Tom Briese, Chairperson

Health and Human Services

LEGISLATIVE BILL 752. Placed on General File with amendment. [AM1918](#) is available in the Bill Room.

LEGISLATIVE BILL 901. Placed on General File with amendment.

[AM1748](#)

1 1. On page 2, lines 16 and 17, strike "upon request"; in lines 19
2 and 25 strike "shall" and insert "may"; and in line 26 strike "in basic
3 form".

4 2. On page 3, line 3, strike "shall" and insert "may"; and in lines
5 4 and 5 strike "Such audiology appointment shall take place within
6 twenty-one days after the newborn infant's birth".

LEGISLATIVE BILL 1173. Placed on General File with amendment. [AM1959](#) is available in the Bill Room.

(Signed) John Arch, Chairperson

COMMITTEE REPORT(S)

Natural Resources

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Scott L. Cassels - Nebraska Game and Parks Commission

Aye: 8. Aguilar, Bostelman, Cavanaugh, J., Gragert, Groene, Hughes, Moser, Wayne. Nay: 0. Absent: 0. Present and not voting: 0.

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Scott B. McPheeters - Nebraska Ethanol Board
Taylor D. Nelson - Nebraska Ethanol Board

Aye: 8. Aguilar, Bostelman, Cavanaugh, J., Gragert, Groene, Hughes, Moser, Wayne. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Bruce Bostelman, Chairperson

AMENDMENT(S) - Print in Journal

Senator Friesen filed the following amendment to LB344:
AM1880

(Amendments to Standing Committee amendments, AM83)

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 76-2325, Revised Statutes Cumulative Supplement,
5 2020, is amended to read:
6 76-2325 (1)(a)(i) When the State Fire Marshal has reason to believe
7 that any person has committed any violation described in subsection (2)
8 of this section, the State Fire Marshal shall give notice of
9 investigation to such person and perform an investigation to determine
10 the nature and extent, if any, of such alleged violation.
11 (ii) When any person other than the State Fire Marshal has reason to
12 believe that any violation described in subsection (2) of this section
13 has occurred, such person may submit information to the State Fire
14 Marshal regarding such violation on a form prescribed by the State Fire
15 Marshal. Upon receipt of such information, the State Fire Marshal shall
16 determine whether such information requires investigation, and if the
17 State Fire Marshal has reason to believe an investigation is warranted,
18 the State Fire Marshal shall give notice of investigation to the person
19 being investigated and perform an investigation to determine the nature
20 and extent, if any, of such alleged violation.
21 (b) If after investigation the State Fire Marshal finds that such
22 person has committed any violation as described in subsection (2) of this
23 section, the State Fire Marshal shall issue a written determination
24 stating findings of fact, conclusions of law, and the civil penalty, if
25 any, to be assessed for such violation and serve a copy of the written
26 determination by personal service or by certified mail, return receipt
1 requested, upon such person. If the State Fire Marshal's investigation
2 was commenced based on information provided pursuant to subdivision (1)
3 (a)(ii) of this section, a copy of the written determination shall also
4 be delivered by regular mail to the person providing such information.
5 (c) Not later than thirty days after the date of the written
6 determination, any party may submit a written request for hearing on the
7 matter. The State Fire Marshal shall then appoint a hearing officer to
8 conduct such hearing and set a hearing date and provide written notice of
9 hearing to the parties at least thirty days prior to the date of the
10 hearing. Such notice shall contain the name, address, and telephone
11 number of the hearing officer, a copy of the written determination upon
12 which the hearing shall be held, and the date, time, and place of
13 hearing. The notice of hearing may be made by personal service or by
14 certified mail. If no hearing is requested in answer to the written

15 determination by the person found to have committed any violation as
16 described in subsection (2) of this section, such person shall pay any
17 civil penalty assessed within thirty days after receipt of the written
18 determination.

19 (d) In the preparation and conduct of the hearing, the hearing
20 officer shall have the power, on the hearing officer's own motion or upon
21 the request of any party, to compel the attendance of any witness and the
22 production of any documents by subpoena to ensure a fair hearing. The
23 hearing officer may administer oaths and examine witnesses and receive
24 any evidence pertinent to the determination of the matter. Any witnesses
25 so subpoenaed shall be entitled to the same fees as prescribed by law in
26 judicial proceedings in the district court of this state in a civil
27 action and mileage at the same rate provided in section 81-1176 for state
28 employees.

29 (e) Any party may appear at the hearing with or without the
30 assistance of counsel to present testimony, examine witnesses, and offer
31 evidence. At the discretion of the hearing officer, other interested
1 parties may be allowed to intervene and present testimony and offer
2 evidence in person or by counsel. A stenographic record of all testimony
3 and other evidence received at the hearing shall be made and preserved
4 pending final disposition of the matter.

5 (f) Unless all requests for hearing are withdrawn, following the
6 hearing the hearing officer shall prepare written findings of fact and
7 conclusions of law, and based on such findings of fact and conclusions of
8 law the State Fire Marshal shall affirm, modify, or reverse the written
9 determination issued under subdivision (1)(b) of this section and issue a
10 final order. The State Fire Marshal's final order may include an
11 assessment of costs incurred in conducting the hearing, including the
12 costs of the hearing officer and compelling the attendance of witnesses
13 and assess such costs against the parties. Any party aggrieved by the
14 final order of the State Fire Marshal may appeal the decision and such
15 appeal shall be in accordance with the Administrative Procedure Act.

16 (2) Except as provided in subsection (3) of this section, any (+)
17 Any person who violates section 76-2320, 76-2320.01, 76-2320.02, 76-2321,
18 76-2322, 76-2323, 76-2326, 76-2330, or 76-2331 or any rule or regulation
19 adopted and promulgated by the State Fire Marshal pursuant to section
20 76-2319 shall be subject to a civil penalty assessed by the State Fire
21 Marshal as follows:

22 (a) For a violation by an excavator or an operator related to a gas
23 or hazardous liquid underground pipeline facility or a fiber optic
24 telecommunications facility, an amount not to exceed ten thousand dollars
25 for each violation for each day the violation persists, up to a maximum
26 of five hundred thousand dollars; and

27 (b) For a violation by an excavator or an operator related to any
28 other underground facility, an amount not to exceed five thousand dollars
29 for each day the violation persists, up to a maximum of fifty thousand
30 dollars.

31 (3) In addition to or in lieu of assessing a civil penalty as
1 provided in subsection (2) of this section, the State Fire Marshal may
2 order that a violator take and complete continuing education regarding
3 compliance with the One-Call Notification System Act. Such continuing
4 education shall be approved by the State Fire Marshal. When imposing a
5 civil penalty, the State Fire Marshal shall consider the appropriateness
6 of such penalty in relation to the size of the excavator's or operator's
7 business operation, the gravity of the violation, and any good faith
8 attempt by the excavator or operator to achieve compliance.

9 (4) (2) An action to recover a civil penalty shall be brought by the
10 Attorney General or a prosecuting attorney on behalf of the State of
11 Nebraska in any court of competent jurisdiction of this state. The trial
12 shall be before the court, which shall consider the nature,

13 circumstances, and gravity of the violation and, with respect to the
 14 person found to have committed the violation, the degree of culpability,
 15 the absence or existence of prior violations, whether the violation was a
 16 willful act, any good faith attempt to achieve compliance, and such other
 17 matters as justice may require in determining the amount of penalty
 18 imposed. All penalties shall be remitted to the State Treasurer for
 19 distribution in accordance with Article VII, section 5, of the
 20 Constitution of Nebraska.

21 (5) The State Fire Marshal shall adopt and promulgate rules and
 22 regulations to establish rules of procedure to carry out this section.
 23 Sec. 2. Section 81-502.03, Reissue Revised Statutes of Nebraska, is
 24 amended to read:

25 81-502.03 In case of disagreement concerning the propriety of any
 26 action taken or proposed to be taken by the State Fire Marshal or the
 27 application of any statute, rule, or regulation of his or her office with
 28 respect to any establishment or installation, the State Fire Marshal may,
 29 and upon application of any party in interest, shall provide for a
 30 hearing before the Nebraska Fire Safety Appeals Board in the county of
 31 the establishment or installation which is the subject of the
 1 disagreement. At least ten days' written notice shall be given to the
 2 governing body responsible for the establishment or installation involved
 3 and to any public official having jurisdiction. The board shall make a
 4 decision based upon the evidence brought forth in the hearing and issue
 5 its order accordingly. Prior to ordering any political or governmental
 6 subdivision of the State of Nebraska to make any modification in the
 7 design or construction of any public building or any modification in the
 8 location, installation, or operation of any existing equipment in any
 9 public building or to replace such equipment, the State Fire Marshal, his
 10 or her first assistant, or one of his or her deputies shall personally
 11 appear at a regular meeting of the governing board of such subdivision
 12 and present a written report stating the condition of such building or
 13 equipment and the reason why such building should be modified or such
 14 equipment should be modified or replaced, and a copy of such report shall
 15 be attached to the order. Nothing in this section shall prevent the State
 16 Fire Marshal from ordering necessary repairs, and nothing in sections
 17 81-502.01 to 81-502.03 shall prevent the State Fire Marshal, when actual
 18 and immediate danger to life exists, from ordering and requiring the
 19 occupants to vacate a building or structure subject to his or her
 20 jurisdiction. This section shall not apply to any decision,
 21 determination, or other action taken or made by the State Fire Marshal
 22 under the One-Call Notification System Act.
 23 Sec. 3. Original section 81-502.03, Reissue Revised Statutes of
 24 Nebraska, and section 76-2325, Revised Statutes Cumulative Supplement,
 25 2020, are repealed.
 26 Sec. 4. The following section is outright repealed: Section
 27 76-2325.02, Revised Statutes Cumulative Supplement, 2020.

UNANIMOUS CONSENT - Room Change

Senator Stinner asked unanimous consent that the Appropriations Committee conduct its hearing on Thursday, February 17, 2022, in Room 1525 instead of Room 1003 and Natural Resources Committee to meet in Room 1003 instead of Room 1525. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 939. The Hunt motion, [MO147](#), found on page 582 and considered in this day's Journal, to recommit to Revenue, was renewed.

Senator Linehan moved for a call of the house. The motion prevailed with 14 ayes, 1 nay, and 34 not voting.

Senator Linehan requested a roll call vote on the Hunt motion to recommit to committee.

Voting in the affirmative, 2:

Cavanaugh, J. Cavanaugh, M.

Voting in the negative, 39:

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

Present and not voting, 2:

DeBoer Morfeld

Excused and not voting, 6:

Bostar	Groene	Walz
Dorn	Hunt	Wishart

The Hunt motion to recommit to committee failed with 2 ayes, 39 nays, 2 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Pending.

MESSAGE(S) FROM THE GOVERNOR

February 17, 2022

Patrick J. O'Donnell
 Clerk of the Legislature
 State Capitol, Room 2018
 Lincoln, NE 68509

Dear Clerk O'Donnell:

Engrossed Legislative 310 was received in my office on February 11, 2022.

This bill was signed and delivered to the Secretary of State on February 17, 2022.

Sincerely,
(Signed) Pete Ricketts
Governor

ANNOUNCEMENT(S)

Priority designation(s) received:

Vargas - LB741
Urban Affairs - LB800
Urban Affairs - LB1024

NOTICE OF COMMITTEE HEARING(S)

Revenue
Room 1524 1:30 PM

Thursday, February 24, 2022

LB687
LB784
LB1020
LB1080
LB995

Friday, February 25, 2022

LB881
LB941
LB944
LB1097
LB1225
LB1209

(Signed) Lou Ann Linehan, Chairperson

Executive Board
Room 1525 12:00 PM

Thursday, February 24, 2022

LR159

(Signed) Dan Hughes, Chairperson

COMMITTEE REPORT(S)

Health and Human Services

LEGISLATIVE BILL 698. Placed on General File.**LEGISLATIVE BILL 1068.** Placed on General File.

(Signed) John Arch, Chairperson

RESOLUTION(S)**LEGISLATIVE RESOLUTION 297.** Introduced by McDonnell, 5.

WHEREAS, Mr. Marlin John Petermann will be remembered as a loving husband, a devoted father, and a steadfast public servant; and

WHEREAS, Mr. Petermann attended the University of Nebraska-Lincoln, where he received Bachelor of Science degrees in civil and agricultural engineering; and

WHEREAS, Mr. Petermann served as Assistant General Manager for the Papio-Missouri River Natural Resources District for almost 48 years and was regarded as an institution in flood fighting efforts to protect the public; and

WHEREAS, Mr. Petermann, his team, and various emergency management partners made critical decisions before, during, and after the 2019 flood that not only minimized the immediate destruction, but put in motion strategies that further reduced damage to vital infrastructure and communities, such as Offutt Air Force Base and the city of Bellevue; and

WHEREAS, Mr. Petermann was a father of four children and grandfather to nine grandchildren; and

WHEREAS, Mr. Petermann passed away on December 22, 2021, at the age of 72; and

WHEREAS, Mr. Petermann will be greatly missed by his family and by the many friends and colleagues to whom he made great contributions.

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

1. That the Legislature honors Mr. Marlin John Petermann for his dedication to the practice of engineering, passion for natural resource management, and role in public safety.

2. That the Legislature offers its condolences to the family of Mr. Petermann.

3. That a copy of this resolution be sent to the family of Mr. Petermann.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 939. Senator Linehan withdrew her amendment, [AM1820](#), found on page 517.

Senator Friesen offered his amendment, [AM1815](#), found on page 522, to the committee amendment.

Pending.

NOTICE OF COMMITTEE HEARING(S)

Revenue
Room 1524 1:30 PM

Thursday, March 3, 2022

LB979
LB982
LB1039
LB1261

Wednesday, March 2, 2022

LB972
LB1115
LB1250

(Signed) Lou Ann Linehan, Chairperson

COMMITTEE REPORT(S)

General Affairs

LEGISLATIVE BILL 840. Placed on General File with amendment.

[AM1915](#)

1 1. On page 2, line 3, after "25-2228" insert "(1)"; in line 21 after
2 the period insert paragraphing and "(2)"; in line 27 after the period
3 insert "A website posting or a failure to make such website posting under
4 this subsection shall not affect the validity of the publication or
5 notice published under subsection (1) of this section.".

LEGISLATIVE BILL 1204. Placed on General File with amendment.

[AM1894](#)

1 1. Strike original section 6 and insert the following new section:
2 Sec. 6. Section 53-132, Reissue Revised Statutes of Nebraska, is
3 amended to read:
4 53-132 (1) If no hearing is required pursuant to subdivision (1)(a)
5 or (b) of section 53-133 and the commission has no objections pursuant to
6 subdivision (1)(c) of such section, the commission may waive the forty-
7 five-day objection period and, if not otherwise prohibited by law, cause
8 a retail license, bottle club license, craft brewery license, or
9 microdistillery license to be signed by its chairperson, attested by its
10 executive director over the seal of the commission, and issued in the
11 manner provided in subsection (4) of this section as a matter of course.
12 (2) A retail license, bottle club license, craft brewery license, or
13 microdistillery license may be issued to any qualified applicant if the
14 commission finds that (a) the applicant is fit, willing, and able to
15 properly provide the service proposed within the city, village, or county
16 where the premises described in the application are located, (b) the
17 applicant can conform to all provisions and requirements of and rules and
18 regulations adopted pursuant to the Nebraska Liquor Control Act, (c) the

19 applicant has demonstrated that the type of management and control to be
 20 exercised over the premises described in the application will be
 21 sufficient to insure that the licensed business can conform to all
 22 provisions and requirements of and rules and regulations adopted pursuant
 23 to the act, and (d) the issuance of the license is or will be required by
 24 the present or future public convenience and necessity.

25 (3) In making its determination pursuant to subsection (2) of this
 26 section the commission shall consider:

27 (a) The recommendation of the local governing body;

1 (b) The existence of a citizens' protest made in accordance with
 2 section 53-133;

3 (c) The existing population of the city, village, or county and its
 4 projected growth;

5 (d) The nature of the neighborhood or community of the location of
 6 the proposed licensed premises;

7 (e) The existence or absence of other retail licenses, bottle club
 8 licenses, craft brewery licenses, or microdistillery licenses with
 9 similar privileges within the neighborhood or community of the location
 10 of the proposed licensed premises and whether, as evidenced by
 11 substantive, corroborative documentation, the issuance of such license
 12 would result in or add to an undue concentration of licenses with similar
 13 privileges and, as a result, require the use of additional law
 14 enforcement resources;

15 (f) The existing motor vehicle and pedestrian traffic flow in the
 16 vicinity of the proposed licensed premises;

17 (g) The adequacy of existing law enforcement;

18 (h) Zoning restrictions;

19 (i) The sanitation or sanitary conditions on or about the proposed
 20 licensed premises; and

21 (j) Whether the type of business or activity proposed to be operated
 22 in conjunction with the proposed license is and will be consistent with
 23 the public interest.

24 (4) Retail licenses, bottle club licenses, craft brewery licenses,
 25 or microdistillery licenses issued or renewed by the commission shall be
 26 mailed or delivered electronically to:

27 (a) ~~The~~ clerk of the city, village, or county who shall deliver
 28 the same to the licensee upon receipt from the licensee of proof of
 29 payment of (i) ~~(a)~~ the license fee if by the terms of subsection (6) of
 30 section 53-124 the fee is payable to the treasurer of such city, village,
 31 or county, (ii) ~~(b)~~ any fee for publication of notice of hearing before
 1 the local governing body upon the application for the license, (iii) ~~(c)~~
 2 the fee for publication of notice of renewal as provided in section
 3 53-135.01, and (iv) ~~(d)~~ occupation taxes, if any, imposed by such city,
 4 village, or county except as otherwise provided in subsection (7) ~~(6)~~ of
 5 this section; or -

6 (b) The licensee, upon confirmation from the clerk of the city,
 7 village, or county that the necessary fees and taxes described in
 8 subdivision (4)(a) of this section have been received by the clerk of
 9 such city, village, or county.

10 (5) Notwithstanding any ordinance or charter power to the contrary,
 11 no city, village, or county shall impose an occupation tax on the
 12 business of any person, firm, or corporation licensed under the act and
 13 doing business within the corporate limits of such city or village or
 14 within the boundaries of such county in any sum which exceeds two times
 15 the amount of the license fee required to be paid under the act to obtain
 16 such license.

17 (6) ~~(5)~~ Each license shall designate the name of the licensee, the
 18 place of business licensed, and the type of license issued.

19 (7) ~~(6)~~ Class J retail licensees shall not be subject to occupation
 20 taxes under subsection (4) of this section.

(Signed) Tom Briese, Chairperson

Revenue

LEGISLATIVE BILL 1176. Placed on General File.

(Signed) Lou Ann Linehan, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 298. Introduced by Hilgers, 21.

WHEREAS, on February 26, 2022, the NEBRASKAland Foundation will present the Distinguished NEBRASKAlander Award, recognizing Nebraskans who have distinguished themselves and the state, to Anne Burkholder at the annual Statehood Day Dinner held in the Nebraska State Capitol; and

WHEREAS, Anne has had her paintings accepted in many national and regional juried shows and won first place awards for her oil and watercolors; and

WHEREAS, Anne's works are included in many private, public, and corporate collections in the United States as well as many foreign countries, including England, Austria, Switzerland, Germany, France, Australia, Morocco, and Japan; and

WHEREAS, Anne exhibited in several galleries in the country of Colombia during 1989-1990 and as part of a cultural exchange in 1991 she was invited to Tajikistan where she had exhibitions in both Dushanbe and Khujand; and

WHEREAS, Anne's development of the Burkholder Project at 719 P Street in Lincoln has inspired other artists and entrepreneurs and, through resurrecting an old, rundown building, helped transform the Haymarket into the vibrant area it is today.

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

1. That the Legislature congratulates Anne Burkholder as a recipient of the Distinguished NEBRASKAlander Award and extends its appreciation for her service to the State of Nebraska.

2. That a copy of this resolution be sent to Anne Burkholder.

Laid over.

LEGISLATIVE RESOLUTION 299. Introduced by Hilgers, 21.

WHEREAS, on February 26, 2022, the NEBRASKAland Foundation will present the Distinguished NEBRASKAlander Award, recognizing Nebraskans who have distinguished themselves and the state, to Jane Miller at the annual Statehood Day Dinner held in the Nebraska State Capitol; and

WHEREAS, Jane Miller serves as President and Chief Operating Officer of Gallup, Inc., overseeing worldwide operations at the global analytics and advice firm; and

WHEREAS, Jane is responsible for creating a high performing culture that drives customer experience, employee engagement, and financial outcomes for sustainable growth; and

WHEREAS, Jane is joined by all three of her siblings as owners and directors of the forward-thinking research, consulting, and education organization business; and

WHEREAS, over her career Jane has helped revolutionize how to think about the workplace through a strong performance orientation that emphasizes strength as the lens through which organizations can select, manage, motivate, develop, and ultimately engage employees; and

WHEREAS, Jane is particularly committed to creating strong communities that begin with strong businesses and workplaces.

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

1. That the Legislature congratulates Jane Miller as a recipient of the Distinguished NEBRASKAlander Award and extends its appreciation for her service to the State of Nebraska.

2. That a copy of this resolution be sent to Jane Miller.

Laid over.

LEGISLATIVE RESOLUTION 300. Introduced by Hilgers, 21.

WHEREAS, on February 26, 2022, the NEBRASKAland Foundation will present the Distinguished NEBRASKAlander Award, recognizing Nebraskans who have distinguished themselves and the state, to Homer and Darla Buell at the annual Statehood Day Dinner held in the Nebraska State Capitol; and

WHEREAS, Homer and Darla Buell's partnership began with their marriage in 1971, the same year they returned to the family ranch, the Shovel Dot, south of Bassett, Nebraska; and

WHEREAS, the Shovel Dot, which was established in 1882, has always been a multi-enterprise ranch maintaining a cow-calf operation, backgrounding calves and yearling cattle, raising hay and other crops, and operating a seedstock division; and

WHEREAS, both Homer and Darla have been active in the Nebraska Hereford Association, with Homer serving as President of the organization and Darla serving as President of the Hereford Women of Nebraska group. Their experience in these positions led to Homer assuming leadership at a national level in the American Hereford Association; and

WHEREAS, Homer and Darla have worked closely with and supported the University of Nebraska. They have been very involved in the university's Institute for Agriculture and Natural Resources.

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

1. That the Legislature congratulates Homer and Darla Buell as recipients of the Distinguished NEBRASKAlander Award and extends its appreciation for their service to the State of Nebraska.
2. That a copy of this resolution be sent to Homer and Darla Buell.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 939. Senator Friesen renewed his amendment, [AM1815](#), found on page 522 and considered in this day's Journal, to the committee amendment.

Senator Friesen withdrew his amendment.

Senator Friesen offered his amendment, [AM1818](#), found on page 522, to the committee amendment.

Senator Friesen withdrew his amendment.

Senator M. Hansen offered his amendment, [AM1869](#), found on page 537, to the committee amendment.

Pending.

ANNOUNCEMENT(S)

Priority designation(s) received:

Appropriations - LB340
State-Tribal Relations - LB872

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 864. Placed on General File.

LEGISLATIVE BILL 1116. Placed on General File with amendment.

[AM1970](#)

- 1 1. On page 3, strike lines 4 through 6 and insert the following new
- 2 subdivision:
- 3 "(a) Twenty-five percent of the funds requested if the applicant's
- 4 principal residence or principal place of business is located in an
- 5 economic redevelopment area within a city of the metropolitan class; or".

(Signed) Lou Ann Linehan, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Vargas name added to LB779.

Senator Brewer name added to LB906.

Senator M. Hansen name added to LB930.

Senator M. Hansen name added to LB935.

Senator Flood name added to LB964.

Senator Groene name added to LB1015.

Senator Murman name added to LB1074.

Senator Slama name added to LB1086.

Senator M. Hansen name added to LB1137.

Senator Blood name added to LB1233.

Senator Flood name added to LB1273.

Senator Murman name added to LR284.

Senator Gragert name added to LR284.

Senator Pahl's name added to LR296.

VISITOR(S)

Visitors to the Chamber were members of the Nebraska State Bar Association Leadership Academy from across the state.

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

ADJOURNMENT

At 11:59 a.m., on a motion by Senator Murman, the Legislature adjourned until 10:00 a.m., Tuesday, February 22, 2022.

Patrick J. O'Donnell
Clerk of the Legislature