

THIRTY-FIRST DAY - FEBRUARY 24, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****THIRTY-FIRST DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, February 24, 2022

PRAYER

The prayer was offered by Pastor Jim Haack, Beautiful Savior Lutheran Church, La Vista.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Aguilar.

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 Bostar, Day, DeBoer, B. Hansen, Hunt, McCollister, McKinney, Morfeld, and Pansing Brooks who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 621, line 39, Strike "AM1896" and insert "AM1869".
The Journal for the thirtieth day was approved as corrected.

MESSAGE FROM THE GOVERNOR

February 23, 2022

Michael B. Jacobson
3020 West Leota
North Platte, NE 69101

Dear Mr. Jacobson:

It is my pleasure to appoint you as a member of the Nebraska Legislature representing District 42 effective February 23, 2022. Your knowledge and

input are valuable and your willingness to serve in this important position is appreciated. Working together we can make wise decisions while keeping the best interests of our citizens in mind.

Congratulations and best wishes.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosure

GUBERNATORIAL APPOINTMENT

Greetings To All Who Shall See These Presents Know Ye, that I, Pete Ricketts, on behalf of the State of Nebraska and as Governor, do hereby appoint Michael B. Jacobson as a member of the Nebraska Legislature - District 42.

Reposing special trust in your ability, integrity and patriotism, I do authorize and empower you to discharge the duties of said appointment, according to law.

This appointment shall take effect on February 23, 2022, and continue until January 3, 2023, provided you shall satisfactorily perform all the duties imposed by law.

(Signed) Pete Ricketts
Governor

(Signed) Robert B. Evnen
Secretary of State

OFFICIAL OATH

STATE OF NEBRASKA)
) ss.
County of Lancaster)

"I, Michael B. Jacobson, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Nebraska, and will faithfully discharge the duties of Member of the Legislature, District 42 according to the best of my ability, and that at the election at which I was chosen to fill said office, I have not improperly influenced in any way the vote of any elector, and have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company or person, or any promise of office, for any official act or influence (for any vote may give or withhold on any bill, resolution, or appropriation)."*

(Signed) Michael B. Jacobson

Subscribed in my presence and sworn to before me this 23rd day of February, 2022.

(SEAL) (Signed) Robert B. Evnen
Secretary of State

*Constitution of the State of Nebraska, Article XV, Section One.
For Executive, Judicial Officers and Members of the Legislature.

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.

Paul E. Strommen - Nebraska Oil and Gas Conservation Commission

Aye: 5. Aguilar, Bostelman, Gragert, Hughes, Moser. Nay: 1. Wayne.
Absent: 0. Present and not voting: 1. Cavanaugh, J.

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.

Dallen R. Juelfs - Nebraska Oil and Gas Conservation Commission

Aye: 7. Aguilar, Bostelman, Cavanaugh, J., Gragert, Hughes, Moser, Wayne.
Nay: 0. Absent: 0. Present and not voting: 0.

LEGISLATIVE BILL 809. Placed on General File with amendment.
[AM2004](#) is available in the Bill Room.

(Signed) Bruce Bostelman, Chairperson

UNANIMOUS CONSENT - Room Change

Senator Stinner asked unanimous consent that the Appropriations Committee conduct its hearing on Thursday, February 24, 2022, and Friday, February 25, 2022, and Wednesday, March 2, 2022, and Thursday, March 3, 2022, in Room 1525 instead of Room 1003. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 939. Committee [AM1780](#), found on page 506 and considered on pages 582 and 617, was renewed.

The M. Hansen amendment, [AM1868](#), found on page 537, was withdrawn.

The M. Cavanaugh amendment, [AM1856](#), found on page 584, to the committee amendment, was offered.

PRESIDENT FOLEY PRESIDING

Senator Linehan offered the following motion:

[MO150](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Linehan moved for a call of the house. The motion prevailed with 27 ayes, 0 nays, and 22 not voting.

Senator Linehan requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 41:

Aguilar	Day	Hansen, B.	McCollister	Vargas
Albrecht	DeBoer	Hilgers	McDonnell	Walz
Arch	Dorn	Hilkemann	Moser	Wayne
Blood	Erdman	Hughes	Murman	Williams
Bostelman	Flood	Jacobson	Pahls	Wishart
Brandt	Friesen	Kolterman	Pansing Brooks	
Brewer	Geist	Lindstrom	Sanders	
Briese	Gragert	Linehan	Slama	
Clements	Halloran	Low	Stinner	

Voting in the negative, 1:

Hunt

Present and not voting, 5:

Cavanaugh, J. Cavanaugh, M. Hansen, M. Lathrop McKinney

Excused and not voting, 2:

Bostar Morfeld

The Linehan motion to invoke cloture prevailed with 41 ayes, 1 nay, 5 present and not voting, and 2 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on her amendment.

Voting in the affirmative, 8:

Blood	Cavanaugh, M.	Hunt	Vargas
Cavanaugh, J.	Day	McKinney	Wayne

Voting in the negative, 34:

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

Present and not voting, 5:

DeBoer	Hansen, M.	Lathrop	Walz	Wishart
--------	------------	---------	------	---------

Excused and not voting, 2:

Bostar	Morfeld
--------	---------

The M. Cavanaugh amendment lost with 8 ayes, 34 nays, 5 present and not voting, and 2 excused and not voting.

The committee amendment was adopted with 39 ayes, 2 nays, 6 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 1 nay, 6 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

COMMITTEE REPORT(S)

Business and Labor

LEGISLATIVE BILL 1040. Placed on General File.

LEGISLATIVE BILL 1069. Placed on General File.

(Signed) Ben Hansen, Chairperson

Transportation and Telecommunications

LEGISLATIVE BILL 750. Placed on General File with amendment.

[AM1966](#) is available in the Bill Room.

(Signed) Curt Friesen, Chairperson

COMMITTEE ON COMMITTEES REPORT

Committee on Committees reported the following committee assignments made due to the resignation of Senator Groene:

Senator Jacobson has been appointed to the Agriculture Committee, General Affairs Committee, and Natural Resources Committee.

GENERAL FILE

LEGISLATIVE BILL 925. Title read. Considered.

Senator Gragert offered his amendment, [AM1836](#), found on page 528.

SENATOR HUGHES PRESIDING

The Gragert amendment was adopted with 37 ayes, 1 nay, 8 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 34 ayes, 7 nays, 5 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 925A. Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 5 nays, 8 present and not voting, and 4 excused and not voting.

CORRECTED COMMITTEE REPORT

Agriculture

LEGISLATIVE BILL 235. Corrected Amendment:

[AM2045](#)

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. Section 54-1901, Reissue Revised Statutes of Nebraska, is
 4 amended to read:
 5 54-1901 Sections 54-1901 to 54-1915 and section 2 of this act may be
 6 cited as the Nebraska Meat and Poultry Inspection Law.
 7 Sec. 2. (1) It is the intent of the Legislature to appropriate one
 8 million dollars each fiscal year from the General Fund for fiscal years
 9 2022-23 and 2023-24 to the department for purposes of a pilot program for
 10 establishing a cooperative state inspection program under 21 U.S.C. 661,
 11 and 21 U.S.C. 454, as such sections existed on January 1, 2021. The
 12 unexpended and unobligated balance of the funds appropriated for the
 13 pilot program shall lapse to the General Fund at the end of each fiscal
 14 year.
 15 (2) For purposes of the pilot program, the administrator shall be a
 16 licensed veterinarian employed by the department. The department shall
 17 provide staff support for the administrator. The administrator shall
 18 provide for certification of inspectors for the pilot program, including
 19 a program of instruction, an examination, and fees. In order to be
 20 eligible to be certified as an inspector for the pilot program, an
 21 individual shall be a licensed veterinarian who has experience with large

22 animals.
 23 (3) Up to ten licensed establishments may participate in the pilot
 24 program. A licensed establishment which chooses to participate in the
 25 pilot program shall contract with one or more certified inspectors for
 26 inspections under the pilot program. A certified inspector contracting
 27 with a licensed establishment shall not be considered an employee,
 1 official, or agent of the department.
 2 (4) The department may adopt and promulgate rules and regulations
 3 for the pilot program.
 4 Sec. 3. Original section 54-1901, Reissue Revised Statutes of
 5 Nebraska, is repealed.

(Signed) Steve Halloran, Chairperson

Revenue

LEGISLATIVE RESOLUTION 264CA. Placed on General File.

LEGISLATIVE BILL 927. Placed on General File with amendment.
[AM2023](#) is available in the Bill Room.

(Signed) Lou Ann Linehan, Chairperson

AMENDMENT(S) - Print in Journal

Senator Friesen filed the following amendment to [LB750](#):
[AM2038](#)

(Amendments to Standing Committee amendments, AM1966)

1 1. On page 19, line 17, strike "twenty-five" and reinstate the
 2 stricken "fifty"; and in line 19 strike "Five dollars" and insert "Four
 3 dollars and twenty-five cents".

Senator Day filed the following amendment to [LB888](#):
[AM1995](#)

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. Section 79-760.01, Revised Statutes Supplement, 2021, is
 4 amended to read:
 5 79-760.01 (1) The State Board of Education shall adopt measurable
 6 academic content standards for at least the grade levels required for
 7 statewide assessment pursuant to section 79-760.03. The standards shall
 8 cover the subject areas of reading, writing, mathematics, science, and
 9 social studies.
 10 (2) The board shall also adopt measurable academic content standards
 11 for the following financial literacy as part of the social studies
 12 standards; -
 13 (a) Financial literacy; and
 14 (b) Education on the Holocaust and other acts of genocide.
 15 (3) Academic content standards adopted or recommended pursuant to
 16 this section shall be sufficiently clear and measurable to be used for
 17 testing student performance with respect to mastery of the content
 18 described in the state standards.
 19 (4) The State Board of Education shall develop a plan to review and
 20 update standards for each subject area every seven years. The state board
 21 plan shall include a review of commonly accepted standards adopted by
 22 school districts.

23 Sec. 2. Original section 79-760.01, Revised Statutes Supplement, 24 2021, is repealed.

BILL ON FIRST READING

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

LEGISLATIVE BILL 1173A. Introduced by Arch, 14.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1173, One Hundred Seventh Legislature, Second Session, 2022; and to declare an emergency.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 303. Introduced by Sanders, 45; McKinney, 11.

WHEREAS, the 2022 Nebraska School Activities Association State Wrestling Tournament was held from February 17 to February 19 at the CHI Health Center Omaha; and

WHEREAS, senior Garrett Grice wrestled for the Bellevue East High School wrestling team coached by Todd Porter; and

WHEREAS, Garrett won the Class A 138-pound state championship match during the 2022 Nebraska State Wrestling Tournament; and

WHEREAS, during Garrett's time at Bellevue East, he achieved a record of 196-1 and won four straight state championships; and

WHEREAS, Garrett is the first wrestler from Bellevue East, and only the thirty-fifth wrestler in Nebraska wrestling history, to win four straight state championships; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates Garrett Grice on winning the 2022 Class A 138-pound State Wrestling Championship and on winning four straight Class A State Wrestling Championships during his time at Bellevue East.

2. That copies of this resolution be sent to Bellevue East High School, Garrett Grice, and coach Todd Porter.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Halloran name added to LB597.
Senator McDonnell name added to LB933.
Senator McDonnell name added to LB1086.
Senator Sanders name added to LB1086.
Senator DeBoer name added to LB1241.

VISITOR(S)

Visitors to the Chamber were Benjamin Blowers and Janai Blowers with Ratio Christi; Nebraska State AFL-CIO Union Members; student delegates of UNMC Omaha; and twelfth graders from Elkhorn North High School and their sponsor.

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

ADJOURNMENT

At 11:57 a.m., on a motion by Senator Albrecht, the Legislature adjourned until 9:00 a.m., Friday, February 25, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

