

THIRTY-SEVENTH DAY - MARCH 8, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****THIRTY-SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 8, 2022

PRAYER

The prayer was offered by Pastor Raymond Wicks, First Baptist Church, Plattsmouth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Brewer.

ROLL CALL

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

The roll was called and all members were present except Senator Aguilar who was excused; and Senators Bostar, DeBoer, Hunt, Lathrop, Lindstrom, Linehan, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-sixth day was approved.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 1246. Placed on Select File with amendment.
[ER126](#) is available in the Bill Room.

LEGISLATIVE BILL 707. Placed on Select File with amendment.
[ER127](#)

1 1. On page 1, strike lines 2 through 17 and insert "8-148.06,
2 8-1502, 30-3850, 45-736, 58-210.02, 58-219, 58-220, 58-221, 58-222,
3 58-239, 58-251, 59-1722, 76-2201, 76-2203, 76-2207.23, and 76-2218,
4 Reissue Revised Statutes of Nebraska, sections 1-162.01, 8-108, 8-124,
5 8-148.07, 8-148.08, 30-3881, 62-301, 76-2233.01, 76-2236, and 77-2387,
6 Revised Statutes Cumulative Supplement, 2020, sections 8-101.03, 8-135,

7 8-141, 8-143.01, 8-157.01, 8-183.04, 8-1,140, 8-318, 8-355, 8-1101,
 8 8-1101.01, 8-1704, 8-1707, 8-2724, 8-2903, 8-3005, 8-3007, 8-3024,
 9 21-17,115, 69-2103, 69-2104, 69-2112, 76-2207.30, 76-2221, 76-2230,
 10 76-2231.01, and 76-2232, Revised Statutes Supplement, 2021, and section
 11 4A-108, Uniform Commercial Code, Revised Statutes Supplement, 2021; to
 12 adopt the LIBOR Transition Act; to change provisions relating to firm
 13 ownership under the Public Accountancy Act; to define and redefine terms;
 14 to change provisions relating to banks, financial institutions, bank
 15 subsidiaries, and residential mortgage loans; to adopt updates to federal
 16 law relating to banks, financial institutions, securities, money
 17 transmitters, commodities, financial exploitation of vulnerable adults,
 18 digital asset depository institutions, credit unions, transactions
 19 involving franchises, consumer rental purchase agreements, and funds
 20 transfers; to provide for a limitation under the Nebraska Financial
 21 Innovation Act on digital asset and cryptocurrency custody services; to
 22 change provisions relating to creditors' claims against settlors and
 23 powers of trustees under the Nebraska Uniform Trust Code; to change
 24 definitions under the Nebraska Investment Finance Authority Act and
 25 change provisions relating to the powers of the authority; to recognize
 26 Juneteenth National Independence Day as a bank holiday; to change
 27 provisions relating to continuing education, experience, educational
 1 requirements, and credentials for real property appraisers and public
 2 funds; to harmonize provisions; to provide operative dates; to provide
 3 severability; to repeal the original sections; and to declare an
 4 emergency."

LEGISLATIVE BILL 863. Placed on Select File with amendment.

[ER129](#)

1 1. In the Standing Committee amendments, AM1913:
 2 a. On page 20, line 10, after "or" insert "an"; and
 3 b. On page 34, line 12, strike "~~exempted~~" and insert "~~exempt~~".
 4 2. On page 1, strike beginning with "the" in line 1 through line 7
 5 and insert "insurance; to amend sections 44-361, 44-7,102, 44-2121,
 6 44-2132, 44-2138, 44-4052, 44-5103, 44-5105, 44-5120, 44-5120.01,
 7 44-5132, 44-5137, 44-5139, 44-5141, 44-5143, 44-5144, 44-5149, 44-5153,
 8 and 44-9004, Reissue Revised Statutes of Nebraska; to adopt the Travel
 9 Insurance Act and the Primary Care Investment Act; to prohibit certain
 10 insurance practices relating to a person's status as a living organ
 11 donor; to change provisions regarding premium rebates; to provide
 12 requirements regarding value-added products and services; to provide,
 13 change, and eliminate definitions; to change the requirement for
 14 screening coverage for colorectal cancer; to require the filing of annual
 15 group capital calculations and liquidity stress tests as prescribed and
 16 provide for confidentiality and recognize trade secrets under the
 17 Insurance Holding Company System Act as prescribed; to provide powers and
 18 duties; to change provisions relating to the Insurers Investment Act; to
 19 eliminate travel insurance provisions; to harmonize provisions; to
 20 provide operative dates; to repeal the original sections; and to outright
 21 repeal section 44-4068, Reissue Revised Statutes of Nebraska."

LEGISLATIVE BILL 752. Placed on Select File with amendment.

[ER131](#) is available in the Bill Room.

LEGISLATIVE BILL 805. Placed on Select File with amendment.

[ER130](#)

1 1. On page 1, strike beginning with "the" in line 1 through line 4
 2 and insert "agriculture; to amend sections 2-2303, 2-2309, 2-2311,
 3 2-2312, 2-2315, 2-2318, 23-3803, 23-3804, 23-3805, 23-3806, and 23-3808,

4 Reissue Revised Statutes of Nebraska, and section 2-958.02, Revised
5 Statutes Cumulative Supplement, 2020; to change provisions relating to
6 the Noxious Weed Control Act, the Nebraska Wheat Resources Act, and the
7 Black-Tailed Prairie Dog Management Act; to harmonize provisions; to
8 provide severability; and to repeal the original sections."

LEGISLATIVE BILL 896. Placed on Select File with amendment.

[ER128](#)

1 1. On page 1, strike lines 2 through 6 and insert "to amend section
2 83-182.01, Revised Statutes Cumulative Supplement, 2020; to change
3 provisions relating to structured programming and program evaluations; to
4 define terms; and to repeal the original section."

LEGISLATIVE BILL 1273. Placed on Select File with amendment.

[ER132](#) is available in the Bill Room.

LEGISLATIVE BILL 1273A. Placed on Select File.

LEGISLATIVE BILL 917. Placed on Select File.

LEGISLATIVE BILL 917A. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

Enrollment and Review

LEGISLATIVE BILL 450. Placed on Final Reading.

[ST45](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, line 2, "and the Small Business Assistance Act" has been inserted after "Act".

LEGISLATIVE BILL 1099. Placed on Final Reading.

[ST44](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, lines 3 and 4, "to state intent regarding appropriations;" has been struck.

(Signed) Terrell McKinney, Chairperson

Health and Human Services

LEGISLATIVE BILL 1007. Placed on General File with amendment.

[AM2099](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 71-5668, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 71-5668 Each loan repayment recipient shall execute an agreement
6 with the department and a local entity. Such agreement shall be exempt
7 from the requirements of sections 73-501 to 73-510 and shall include, at
8 a minimum, the following terms:
9 (1) The loan repayment recipient agrees to practice his or her
10 profession, and a physician, dentist, nurse practitioner, or physician
11 assistant also agrees to practice an approved specialty, in a designated
12 health profession shortage area for at least three years and to accept
13 medicaid patients in his or her practice;
14 (2) In consideration of the agreement by the recipient, the State of

15 Nebraska and a local entity within the designated health profession
 16 shortage area will provide equal funding for the repayment of the
 17 recipient's qualified educational debts except as provided in subdivision
 18 (5) of this section, in amounts up to thirty thousand dollars per year
 19 per recipient for physicians, dentists, and psychologists and up to
 20 fifteen thousand dollars per year per recipient for physician assistants,
 21 nurse practitioners, pharmacists, physical therapists, occupational
 22 therapists, and mental health practitioners toward qualified educational
 23 debts for up to three years. The department shall make payments directly
 24 to the recipient;
 25 (3) If the loan repayment recipient discontinues practice in the
 26 shortage area prior to completion of the three-year requirement, the
 27 recipient shall repay to the state one hundred fifty percent of the total
 1 amount of funds provided to the recipient for loan repayment with
 2 interest at a rate of eight percent simple interest per year from the
 3 date of default. Upon repayment by the recipient to the department, the
 4 department shall reimburse the local entity its share of the funds which
 5 shall not be more than the local entity's share paid to the loan
 6 repayment recipient; ~~and~~
 7 (4) Any practice or payment obligation incurred by the loan
 8 repayment recipient under the loan repayment program is canceled in the
 9 event of the loan repayment recipient's total and permanent disability or
 10 death; ~~and~~ -
 11 (5) Beginning on July 1, 2022, any agreements entered into by
 12 December 31, 2024, shall first use federal funds from the federal
 13 American Rescue Plan Act of 2021 for the purposes of repaying qualified
 14 educational debts prior to using any state or local funds. Agreements
 15 using federal funds from the federal American Rescue Plan Act of 2021
 16 shall not require equal funding from a local entity. Any federal funds
 17 from the act committed to agreements during this time period shall be
 18 used by December 31, 2026.
 19 Sec. 2. Original section 71-5668, Reissue Revised Statutes of
 20 Nebraska, is repealed.

The Health and Human Services 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.

Jeffrey D. Harrison - Nebraska Rural Health Advisory Commission
 Cherlyn Hunt - Nebraska Rural Health Advisory Commission
 Rebecca A. Schroeder - Nebraska Rural Health Advisory Commission
 Roger D. Wells - Nebraska Rural Health Advisory Commission

Aye: 7. Arch, Cavanaugh, M., Day, Hansen, B., Murman, Walz, Williams.
 Nay: 0. Absent: 0. Present and not voting: 0.

The Health and Human Services 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.

Claire C. Bazata - Nebraska Child Abuse Prevention Fund Board

Aye: 7. Arch, Cavanaugh, M., Day, Hansen, B., Murman, Walz, Williams.
 Nay: 0. Absent: 0. Present and not voting: 0.

The Health and Human Services 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.

Alysson Muotri - Stem Cell Research Advisory Committee

Aye: 7. Arch, Cavanaugh, M., Day, Hansen, B., Murman, Walz, Williams.
Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) John Arch, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 318. Introduced by Blood, 3; Albrecht, 17; Arch, 14; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; 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; Halloran, 33; Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hilkemann, 4; Hughes, 44; Hunt, 8; Jacobson, 42; Kolterman, 24; Lathrop, 12; Lindstrom, 18; Lowe, 37; McCollister, 20; McDonnell, 5; McKinney, 11; Morfeld, 46; Moser, 22; Murman, 38; Pahls, 31; Pansing Brooks, 28; Sanders, 45; Stinner, 48; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, the month of March is Women's History Month and celebrates the significant contributions women of all races, ethnicities, and backgrounds have made to the world; and

WHEREAS, women play a critical role in the vitality and diversity of our communities and are essential to ensuring Nebraska is well represented; and

WHEREAS, while the twentieth century was a pivotal time of growth for women entering politics, women remain underrepresented in the male-dominated field, and thus, providing opportunities to support women in public office is imperative; and

WHEREAS, recognizing women in public office will bring awareness to the fundamental necessity of their work and will inspire young people to serve their communities.

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

1. That the Legislature recognizes March 19, 2022, as Celebrating Women in Public Office Day and calls upon the people of Nebraska to unite in support of the success of women in public office and to observe March 19 with appropriate activities, events, and programs.

Laid over.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 805A. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 805, One Hundred Seventh Legislature, Second Session, 2022.

LEGISLATIVE BILL 809A. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 809, One Hundred Seventh Legislature, Second Session, 2022.

LEGISLATIVE BILL 1102A. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1102, One Hundred Seventh Legislature, Second Session, 2022.

MOTION(S) - Confirmation Report(s)

Senator Arch moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 662:

Commission for the Blind and Visually Impaired
Cheryl Livingston
Linda Mentink

Voting in the affirmative, 35:

Albrecht	Clements	Gragert	Kolterman	Pahls
Arch	Day	Halloran	Lathrop	Pansing Brooks
Blood	Dorn	Hansen, B.	Lowe	Sanders
Bostelman	Erdman	Hansen, M.	McDonnell	Slama
Brandt	Flood	Hilkemann	Morfeld	Stinner
Brewer	Friesen	Hughes	Moser	Walz
Cavanaugh, M.	Geist	Jacobson	Murman	Williams

Voting in the negative, 0.

Present and not voting, 6:

Briese	Hilgers	McKinney
Cavanaugh, J.	McCollister	Vargas

Excused and not voting, 8:

Aguilar	DeBoer	Lindstrom	Wayne
Bostar	Hunt	Linehan	Wishart

The appointments were confirmed with 35 ayes, 0 nays, 6 present and not voting, and 8 excused and not voting.

Senator Arch moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 662:

Foster Care Advisory Committee
Richard L. Wiener

Voting in the affirmative, 38:

Albrecht	Cavanaugh, M.	Gragert	Kolterman	Pahls
Arch	Clements	Halloran	Lathrop	Pansing Brooks
Blood	Day	Hansen, B.	McCollister	Slama
Bostelman	Dorn	Hansen, M.	McDonnell	Stinner
Brandt	Erdman	Hilgers	McKinney	Walz
Brewer	Flood	Hilkemann	Morfeld	Williams
Briese	Friesen	Hughes	Moser	
Cavanaugh, J.	Geist	Jacobson	Murman	

Voting in the negative, 0.

Present and not voting, 4:

Linehan	Lowe	Sanders	Vargas
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Excused and not voting, 7:

Aguilar	DeBoer	Lindstrom	Wishart
Bostar	Hunt	Wayne	

The appointment was confirmed with 38 ayes, 0 nays, 4 present and not voting, and 7 excused and not voting.

Senator Arch moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 662:

Commission for the Deaf and Hard of Hearing
Peggy A. Williams

Voting in the affirmative, 39:

Albrecht	Clements	Hansen, B.	Linehan	Pansing Brooks
Arch	Day	Hansen, M.	Lowe	Sanders
Blood	Dorn	Hilgers	McCollister	Slama
Bostelman	Erdman	Hilkemann	McDonnell	Stinner
Brandt	Flood	Hughes	McKinney	Vargas
Brewer	Geist	Jacobson	Moser	Walz
Cavanaugh, J.	Gragert	Kolterman	Murman	Williams
Cavanaugh, M.	Halloran	Lathrop	Pahls	

Voting in the negative, 0.

Present and not voting, 3:

Briese	Friesen	Morfeld
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Excused and not voting, 7:

Aguilar	DeBoer	Lindstrom	Wishart
Bostar	Hunt	Wayne	

The appointment was confirmed with 39 ayes, 0 nays, 3 present and not voting, and 7 excused and not voting.

Senator Brewer moved the adoption of the Government, Military and Veterans Affairs Committee report for the confirmation of the following appointment(s) found on page 697:

Nebraska Accountability and Disclosure Commission
Ann Ashford

Voting in the affirmative, 40:

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

Voting in the negative, 0.

Present and not voting, 3:

Hunt	Lathrop	Morfeld
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Excused and not voting, 6:

Aguilar	DeBoer	Wayne
Bostar	Lindstrom	Wishart

The appointment was confirmed with 40 ayes, 0 nays, 3 present and not voting, and 6 excused and not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 567.

A BILL FOR AN ACT relating to the Employment Security Law; to amend sections 48-625 and 48-626, Reissue Revised Statutes of Nebraska; to change provisions relating to payment of weekly benefits and maximum annual benefit amounts; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 42:

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

Voting in the negative, 0.

Present and not voting, 1:

Hunt

Excused and not voting, 6:

Aguilar	DeBoer	Wayne
Bostar	Lindstrom	Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 704.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 38-1414 and 38-1416, Reissue Revised Statutes of Nebraska; to change education requirements for funeral directing and embalming and apprentice licensure; to eliminate reporting requirements relating to caskets; to repeal the original sections; and to outright repeal section 71-609, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

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

Voting in the negative, 0.

Excused and not voting, 6:

Aguilar	DeBoer	Wayne
Bostar	Lindstrom	Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 749. With Emergency Clause.

A BILL FOR AN ACT relating to the Motor Vehicle Certificate of Title Act; to amend section 60-146, Reissue Revised Statutes of Nebraska; to change an identification inspection provision; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 43:

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

Voting in the negative, 0.

Excused and not voting, 6:

Aguilar	DeBoer	Wayne
Bostar	Lindstrom	Wishart

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 786.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1496, Reissue Revised Statutes of Nebraska; to change information required for a statement of financial interests; to provide an operative date; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

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

Voting in the negative, 0.

Excused and not voting, 6:

Aguilar	DeBoer	Wayne
Bostar	Lindstrom	Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 791.

A BILL FOR AN ACT relating to county government and officers; to amend sections 23-1901, 23-1901.02, 33-116, and 39-1506, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to county surveyors, engineers, and highway superintendents; to change a county population requirement; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

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

Voting in the negative, 0.

Present and not voting, 1:

McKinney

Excused and not voting, 5:

Aguilar	Bostar	DeBoer	Lindstrom	Wishart
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 847.

A BILL FOR AN ACT relating to the Political Subdivisions Construction Alternatives Act; to amend section 13-2903, Revised Statutes Supplement, 2021; to redefine political subdivision to include certain utilities and public

power districts; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

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

Voting in the negative, 0.

Excused and not voting, 5:

Aguilar	Bostar	DeBoer	Lindstrom	Wishart
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

GENERAL FILE

LEGISLATIVE BILL 697. Title read. Considered.

SPEAKER HILGERS PRESIDING

Committee [AM1613](#), found on page 483, was adopted with 42 ayes, 0 nays, 2 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 5 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 824. Title read. Considered.

Committee [AM1604](#), found on page 483, was adopted with 36 ayes, 0 nays, 7 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 6 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 795. Title read. Considered.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 6 present and not voting, and 6 excused and not voting.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 304, 306, 308, 309, and 310 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 304, 306, 308, 309, and 310.

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 567, 704, 749e, 786, 791, and 847.

GENERAL FILE

LEGISLATIVE BILL 1147. Title read. Considered.

Senator Friesen offered his amendment, [AM1997](#), found on page 613.

SENATOR WAYNE PRESIDING

The Friesen amendment was adopted with 36 ayes, 0 nays, 7 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 5 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 807. Title read. Considered.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 3 present and not voting, and 6 excused and not voting.

COMMITTEE REPORT(S)

Judiciary

LEGISLATIVE BILL 829. Placed on General File.

LEGISLATIVE BILL 830. Placed on General File.

LEGISLATIVE BILL 907. Placed on General File.

LEGISLATIVE BILL 851. Placed on General File with amendment.

[AM2102](#)

1 1. On page 2, line 12, strike the new matter.

LEGISLATIVE BILL 1124. Placed on General File with amendment.

[AM2138](#)

1 1. On page 2, line 13, strike "two" and insert "one".

(Signed) Steve Lathrop, Chairperson

Transportation and Telecommunications

LEGISLATIVE BILL 1144. Placed on General File with amendment.
[AM2107](#) is available in the Bill Room.

(Signed) Curt Friesen, Chairperson

Education

LEGISLATIVE BILL 1057. Placed on General File with amendment.
[AM2164](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 79-499, Revised Statutes Cumulative Supplement,
4 2020, is amended to read:
5 79-499 (1) If the fall school district membership or the average
6 daily membership of an existing Class III school district shows fewer
7 than ~~forty-five~~ ~~thirty-five~~ students in grades ~~kindergarten~~ ~~nine~~ through
8 twelve, the district shall submit a plan for developing cooperative
9 programs with other ~~school districts~~ ~~high schools~~, including the sharing
10 of curriculum and certificated and noncertificated staff, to the State
11 Committee for the Reorganization of School Districts. The cooperative
12 program plan shall be submitted by the school district by September 1 of
13 the year following such fall school district membership or average daily
14 membership report. A cooperative program plan shall not be required if
15 there is no ~~high~~ school within fifteen miles from such district on a
16 reasonably improved highway. The state committee shall review the plan
17 and provide advice and communication to such school district and other
18 ~~school districts~~ ~~high schools~~.
19 (2) If for two consecutive years the fall school district
20 membership, or for two consecutive years the average daily membership, of
21 an existing Class III school district is fewer than ~~forty-five students~~
22 ~~twenty-five pupils~~ in grades ~~kindergarten~~ ~~nine~~ through twelve as
23 determined by the Commissioner of Education ~~or if for one year an~~
24 ~~existing Class III school district contracts with a neighboring school~~
25 ~~district or districts to provide educational services for all of its~~
26 ~~pupils in grades nine through twelve~~, such school district shall, except
27 as provided in subsection (3) ~~or (4)~~ of this section, be dissolved
1 pursuant to the procedures described in subdivision (3)(b) (4)(b) of this
2 section through the order of the state committee if the ~~high~~ school
3 ~~district~~ is within fifteen miles on a reasonably improved highway of
4 another ~~high~~ school.
5 This subsection does not apply to any school district located on an
6 Indian reservation and substantially or totally financed by the federal
7 government.
8 (3) ~~Any Class III school district which has a fall school district~~
9 ~~membership or an average daily membership of fewer than twenty-five~~
10 ~~students in grades nine through twelve may contract with another school~~
11 ~~district to provide educational services for its pupils in grades nine~~
12 ~~through twelve. Such contract may continue for a period not to exceed one~~
13 ~~year. At the end of such one-year period, the school district may resume~~
14 ~~educational services for grades nine through twelve if the average daily~~
15 ~~membership in grades nine through twelve for such school district has~~
16 ~~reached at least fifty students. If the school district has not achieved~~

17 such fall school district membership or average daily membership, it
 18 shall be dissolved pursuant to the procedures described in subdivision
 19 (4)(b) of this section by order of the state committee entered after
 20 thirty days' notice to the district but without a hearing,
 21 notwithstanding the distance on a reasonably improved highway to the
 22 nearest school district conducting a high school.
 23 (3)(a) (4)(a) Any Class III school district which is maintaining the
 24 only public high school district in the county and which has with a fall
 25 school district membership or an average daily membership of fewer than
 26 forty-five twenty-five students in grades kindergarten nine through
 27 twelve shall be subject to this subsection until such school district
 28 reaches a fall school district membership or an average daily membership
 29 in grades kindergarten nine through twelve of at least forty-five thirty-
 30 five students or, for two consecutive years, fewer than fifteen students
 31 or such school district dissolves. Such school district may continue to
 1 operate the high school if:
 2 (i) The plan submitted pursuant to subsection (1) of this section
 3 provides a broad-based curriculum as determined by the state committee;
 4 and
 5 (ii) At a districtwide election held the second Tuesday of November
 6 by whatever means the county conducts balloting, in the second
 7 consecutive school year that the fall school district membership for
 8 grades kindergarten nine through twelve is fewer than forty-five twenty-
 9 five students, a majority of voters approve a ballot issue to continue to
 10 operate the high school district for the immediately following four
 11 school years year. If such ballot issue succeeds and in the initial
 12 election, the school board shall annually determine if such a
 13 districtwide election is necessary for each subsequent year that the
 14 school district remains is subject to this subsection, except that such
 15 school board or board of education shall conduct a public hearing and,
 16 after receiving testimony at the public hearing, vote whether to continue
 17 to operate the school district every four years thereafter. If such
 18 ballot issue or such vote of the school board or board of education
 19 fails, the school district shall be dissolved pursuant to the procedures
 20 described in subdivision (3)(b) of this section hold such districtwide
 21 election if four years have passed since the last election pursuant to
 22 this section and the school district has remained subject to this
 23 subsection.
 24 (b) The If such ballot issue as provided in subdivision (4)(a)(ii)
 25 of this section fails, or if a school district falls within the
 26 provisions of subsection (2) or (3) of this section, the state committee
 27 shall dissolve the school district and attach the territory to other
 28 school districts based on the preferences of each landowner if such
 29 preference is provided in the time and manner required by the state
 30 committee and would transfer such parcels to a school district with a
 31 boundary contiguous to the school district being dissolved. Landowners
 1 submitting such preferences shall sign a statement that the district of
 2 preference is the district which children who might reside on the
 3 property, at the time of the dissolution or in the future, would be
 4 expected to attend. For property for which a preference is not provided
 5 in the time and manner required by the state committee, the state
 6 committee shall transfer such property to one or more of the school
 7 districts with boundaries contiguous to the district being dissolved in a
 8 manner that will best serve children who might reside on such property,
 9 at the time of the dissolution or in the future, and that will, to the
 10 extent possible, create compact and contiguous districts.
 11 (c) This subsection shall not apply to any school district if the
 12 fall school district membership or an average daily membership falls to
 13 fewer than fifteen students in grades nine through twelve for two
 14 consecutive years.

15 (4) (5) For purposes of this section, when calculating fall school
 16 district membership or average daily membership, a resident school
 17 district as defined in section 79-233 shall not count students attending
 18 an option district as defined in such section and a Class III school
 19 district shall not count foreign exchange students and nonresident
 20 students who are wards of the court or state.
 21 Sec. 2. Section 79-848, Reissue Revised Statutes of Nebraska, is
 22 amended to read:
 23 79-848 Any employee whose contract is terminated because of
 24 reduction in force shall be considered dismissed with honor and shall
 25 upon request be provided a letter to that effect. Such employee shall
 26 have preferred rights to reemployment for a period of twenty-four months
 27 commencing at the end of the contract year of such employee, and the
 28 employee shall be recalled on the basis of length of service to the
 29 school to any position for which he or she is qualified by endorsement or
 30 college preparation to teach. Whenever a school district has, pursuant to
 31 section 79-598, contracted for the instruction of all of the students
 1 residing in such district or has, pursuant to section 79-499, contracted
 2 for the instruction of its students in grades nine through twelve, the
 3 preferred rights to reemployment shall commence at the end of the student
 4 contract period as agreed to by the contracting school district. The
 5 employee shall, upon reappointment, retain any benefits which had accrued
 6 to such employee prior to termination, but such leave of absence shall
 7 not be considered as a year of employment by the district. An employee
 8 under contract to another educational institution may waive recall, but
 9 such waiver shall not deprive the employee of his or her right to
 10 subsequent recall.
 11 Sec. 3. Original section 79-848, Reissue Revised Statutes of
 12 Nebraska, and section 79-499, Revised Statutes Cumulative Supplement,
 13 2020, are repealed.

(Signed) Lynne Walz, Chairperson

Business and Labor

LEGISLATIVE BILL 815. Placed on General File.

(Signed) Ben Hansen, Chairperson

Revenue

LEGISLATIVE BILL 1250. Placed on General File with amendment.

[AM2186](#)

1 1. On page 2, lines 26 and 27, strike the new matter and reinstate
 2 the stricken matter.

(Signed) Lou Ann Linehan, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 319. Introduced by Cavanaugh, M., 6;
 Albrecht, 17; Arch, 14; Blood, 3; Bostar, 29; Bostelman, 23; Brandt, 32;
 Brewer, 43; Briese, 41; Cavanaugh, J., 9; Clements, 2; Day, 49; DeBoer, 10;
 Dorn, 30; Erdman, 47; Flood, 19; Friesen, 34; Gragert, 40; Halloran, 33;
 Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hilkemann, 4; Hughes, 44;

Hunt, 8; Jacobson, 42; Kolterman, 24; Lathrop, 12; Lindstrom, 18; Lowe, 37; McCollister, 20; McDonnell, 5; McKinney, 11; Morfeld, 46; Moser, 22; Murman, 38; Pahls, 31; Pansing Brooks, 28; Sanders, 45; Stinner, 48; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, multiple sclerosis (MS) is an unpredictable, often disabling disease of the central nervous system that interrupts the flow of information between the brain and the body; and

WHEREAS, although there has been significant progress in MS research, including more than twenty disease modifying treatments to slow the progression of the disease, there is still no known cause or cure; and

WHEREAS, an estimated one million people in the United States are living with MS, including more than three thousand two hundred people in Nebraska; and

WHEREAS, the National Multiple Sclerosis Society exists to help each person address the challenges of living with MS by funding cutting-edge research, facilitating professional education, and providing programs and services that help people with MS and their families move their lives forward; and

WHEREAS, MS Awareness Month is recognized annually in March to unite people in Nebraska, the United States, and worldwide in the fight to end MS, to create connections stronger than the ones MS destroys, and to educate people about MS and what they can do to make a difference.

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

1. That the Legislature recognizes March 2022 as Multiple Sclerosis Awareness Month in Nebraska.

2. That a copy of this resolution be sent to the Mid America Chapter of the National Multiple Sclerosis Society.

Laid over.

AMENDMENT(S) - Print in Journal

Senator M. Cavanaugh filed the following amendment to [LB376A](#):

[AM2172](#)

1. Strike the original section and insert the following new

2 sections:

3 Section 1. There is hereby appropriated \$500,000 Federal Funds for

4 FY2022-23 to the Department of Health and Human Services, for Program 33,

5 to aid in carrying out the provisions of Legislative Bill 376, One

6 Hundred Seventh Legislature, Second Session, 2022. The Federal Funds

7 appropriated in this section are from the funds allocated to the State of

8 Nebraska pursuant to the federal American Rescue Plan Act of 2021, Public

9 Law 117-2, Subtitle J-Medicaid, Sec. 9817.

10 Sec. 2. There is hereby appropriated \$1,508,507 from the General

11 Fund and \$6,055,913 Federal Funds for FY2023-24 to the Department of

12 Health and Human Services, for Program 424, to aid in carrying out the

13 provisions of Legislative Bill 376, One Hundred Seventh Legislature,

14 Second Session, 2022. The Federal Funds appropriated in this section are

15 from the funds allocated to the State of Nebraska pursuant to the federal

16 American Rescue Plan Act of 2021, Public Law 117-2, Subtitle J-Medicaid,
 17 Sec. 9817.
 18 There is included in the appropriation to this program for FY2023-24
 19 \$1,508,507 General Funds and \$6,055,913 Federal Funds for state aid,
 20 which shall only be used for such purpose.
 21 Sec. 3. There is hereby appropriated \$510,131 from the General Fund
 22 and \$1,660,224 from federal funds for FY2023-24 to the Department of
 23 Health and Human Services, for Program 33, to aid in carrying out the
 24 provisions of Legislative Bill 376, One Hundred Seventh Legislature,
 25 Second Session, 2022.
 26 Sec. 4. There is hereby appropriated \$8,288,373 from federal funds
 27 for FY2023-24 to the Department of Health and Human Services, for Program
 1 348, to aid in carrying out the provisions of Legislative Bill 376, One
 2 Hundred Seventh Legislature, Second Session, 2022.
 3 Total expenditures for permanent and temporary salaries and per
 4 diems from funds appropriated in this section shall not exceed \$2,044,738
 5 for FY2023-24.

NOTICE OF COMMITTEE HEARING(S)

Natural Resources
 Room 1525 12:00 PM

Wednesday, March 16, 2022
 LR102

(Signed) Bruce Bostelman, Chairperson

BILL ON FIRST READING

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

LEGISLATIVE BILL 1241A. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1241, One Hundred Seventh Legislature, Second Session, 2022; and to declare an emergency.

PRESENTED TO THE GOVERNOR

Presented to the Governor on March 8, 2022, at 11:43 a.m. were the following: LBs 567, 704, 749e, 786, 791, and 847.

(Signed) Jamie Leishman
 Clerk of the Legislature's Office

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Jacobson name added to LB781.
 Senator Briese name added to LB933.

Senator Dorn name added to LB933.
Senator Jacobson name added to LB933.
Senator Brewer name added to LB933.
Senator Blood name added to LB964.
Senator Briese name added to LB1086.
Senator Jacobson name added to LB1086.
Senator Pansing Brooks name added to LR283CA.
Senator Morfeld name added to LR283CA.
Senator Jacobson name added to LR283CA.
Senator M. Hansen name added to LR283CA.
Senator Arch name added to LR317.
Senator Kolterman name added to LR317.

RECESS

At 12:01 p.m., on a motion by Senator M. Hansen, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Williams presiding.

ROLL CALL

The roll was called and all members were present except Senator Aguilar who was excused; and Senators Blood, Bostar, Briese, J. Cavanaugh, Day, DeBoer, Flood, Hunt, Lathrop, Lindstrom, Slama, Stinner, Vargas, and Walz who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 698A. Title read. Considered.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 1 present and not voting, and 14 excused and not voting.

LEGISLATIVE BILL 804A. Title read. Considered.

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

LEGISLATIVE BILL 1037A. Title read. Considered.

Senator Arch offered the following amendment:

[AM2193](#)

1 1. On page 2, line 2, strike "\$400,000" and insert "\$-0-".

The Arch amendment was adopted with 40 ayes, 0 nays, and 9 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 4 present and not voting, and 9 excused and not voting.

WITHDRAW - Amendment to LB450A

Senator McKinney withdrew his amendment, [AM2148](#), found on page 718, to LB450A.

MOTION(S) - Return LB450A to Select File

Senator McKinney moved to return LB450A to Select File for the following specific amendment:

[AM2196](#)

1 1. Strike the original section and insert the following new section:
2 Section 1. There is hereby appropriated (1) \$11,000 from the
3 Innovation Hub Cash Fund and \$5,000,000 from the General Fund for
4 FY2022-23 and (2) \$11,000 from the Innovation Hub Cash Fund and
5 \$5,000,000 from the General Fund for FY2023-24 to the Department of
6 Economic Development, for Program 603, to aid in carrying out the
7 provisions of Legislative Bill 450, One Hundred Seventh Legislature,
8 Second Session, 2022.
9 There is included in the appropriation to this program for FY2022-23
10 \$4,230,810 General Funds for state aid, which shall only be used for such
11 purpose. There is included in the appropriation to this program for
12 FY2023-24 \$4,214,050 General Funds for state aid, which shall only be
13 used for such purpose.
14 Total expenditures for permanent and temporary salaries and per
15 diems from funds appropriated in this section shall not exceed \$134,140
16 for FY2022-23 or \$159,550 for FY2023-24.

The McKinney motion to return prevailed with 37 ayes, 0 nays, 5 present and not voting, and 7 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 450A. The McKinney specific amendment, [AM2196](#), found in this day's Journal, was adopted with 40 ayes, 0 nays, 2 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 1112. Title read. Considered.

Committee [AM1942](#), found on page 612, was offered.

Senator McKinney offered his amendment, [AM2101](#), found on page 701, to the committee amendment.

The McKinney amendment was adopted with 35 ayes, 0 nays, 10 present

and not voting, and 4 excused and not voting.

The committee amendment, as amended, was adopted with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 804. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 887. [ER121](#), found on page 707, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 698. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 820. Senator M. Hansen offered his amendment, [AM2147](#), found on page 717.

The M. Hansen amendment was adopted with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 840. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 436. [ER120](#), found on page 707, was adopted.

Senator B. Hansen offered the following amendment:
[AM2157](#)

(Amendments to E&R amendments, ER120)

- 1 1. On page 2, strike lines 23 through 25 and insert the following
- 2 new subdivision:
- 3 "(e) Therapeutic modalities. For purposes of this subdivision, and
- 4 except as provided in subsection (9) of this section, therapeutic
- 5 modalities includes, but is not limited to:
- 6 (i) Physical modalities; and
- 7 (ii) Mechanical modalities, including, but not limited to, dry
- 8 needling; and".
- 9 2. On page 4, line 22, before the stricken "(2)" insert "(9)"; and
- 10 reinstate the stricken matter beginning with "The" in line 22 through
- 11 line 23.

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

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE RESOLUTION 283CA. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 998. [ER124](#), found on page 732, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 769. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 864. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1065. [ER125](#), found on page 736, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1246. [ER126](#), found on page 739, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 848. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1173. [ER117](#), found on page 694, was adopted.

Senator Hunt offered the following amendment:

[AM2200](#)

(Amendments to E&R amendments, ER117)

1 1. Insert the following new section:

2 Sec. 8. Section 43-907, Reissue Revised Statutes of Nebraska, is

3 amended to read:

4 43-907 (1) Unless a guardian shall have been appointed by a court
5 of competent jurisdiction, the Department of Health and Human Services
6 shall take custody of and exercise general control over assets owned by
7 children under the charge of the department. Children owning assets shall
8 at all times pay for personal items. Assets over and above a maximum of
9 one thousand dollars and current income shall be available for
10 reimbursement to the state for the cost of care. Assets may be deposited
11 in a checking account, invested in United States bonds, or deposited in a
12 savings account insured by the United States Government. All income
13 received from the investment or deposit of assets shall be credited to
14 the individual child whose assets were invested or deposited. The
15 department shall make and maintain detailed records showing all receipts,
16 investments, and expenditures of assets owned by children under the
17 charge of the department.

18 (2) When the Department of Health and Human Services serves as
19 representative payee or in any fiduciary capacity for a child beneficiary
20 of social security benefits, the department shall provide:

21 (a) Immediate notice to the child beneficiary, in an age-appropriate

22 manner, and the child's guardian ad litem, of (i) the department's
 23 receipt of the child's first payment of social security benefits,
 24 including the amount received, and (ii) where the payment was deposited;
 25 (b) Notice and accounting to the juvenile court on a biannual basis
 26 beginning January 1, 2023, regarding the department's receipt, use, and
 1 conservation of the child's social security benefits in accordance with
 2 this section including:
 3 (i) The dates and amounts of social security benefits received on
 4 behalf of the child since any prior notification;
 5 (ii) An accounting of the child's assets and resources relating to
 6 the receipt of social security benefits, including all earnings, assets,
 7 and other resources, programs, or accounts maintained on behalf of the
 8 child receiving such social security benefits; and
 9 (iii) Records of any communication with the Social Security
 10 Administration regarding the child beneficiary's receipt of social
 11 security benefits since any prior notification; and
 12 (c) All accounting records regarding the department's receipt, use,
 13 and conservation of the child's social security benefits, including an
 14 accounting of all existing earnings, assets, and other resources,
 15 programs, or accounts maintained on behalf of the child receiving such
 16 social security benefits, to the child beneficiary, the child's guardian
 17 ad litem or attorney, or the child's parent upon:
 18 (i) Request from the child beneficiary, the child's guardian ad
 19 litem or attorney, or the child's parent; and
 20 (ii) Termination of the department's role as the child beneficiary's
 21 representative payee.
 22 (3) On or before October 1, 2023, the Department of Health and Human
 23 Services shall adopt and promulgate rules and regulations to carry out
 24 subsection (2) of this section consistent with federal requirements
 25 regarding representative payees for social security beneficiaries.
 26 2. Correct the operative date and repealer sections so that the
 27 section added by this amendment becomes operative three calendar months
 28 after the adjournment of this legislative session.
 29 3. Renumber the remaining sections accordingly.

The Hunt amendment was adopted with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1236. [ER118](#), found on page 700, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 780. [ER123](#), found on page 732, was adopted.

Senator Wayne offered the following amendment:

[AM2156](#)

1 1. Insert the following new sections:
 2 Section 1. Section 14-1810, Reissue Revised Statutes of Nebraska, is
 3 amended to read:
 4 14-1810 An authority created pursuant to the Transit Authority Law
 5 being a governmental subdivision of the State of Nebraska to exercise
 6 public and essential governmental functions, all property thereof, all
 7 operations thereof, and all rights to operate, of whatsoever character,
 8 and all bonds and equipment trust notes or certificates issued by it,
 9 shall be exempt from any and all forms of assessment and taxation, and

10 from all other governmental and municipal licenses, excises, and charges,
 11 except for assessments under the Nebraska Workers' Compensation Act and
 12 any combined tax due or payments in lieu of contributions as required
 13 under the Employment Security Law.
 14 Sec. 2. Section 18-819, Revised Statutes Cumulative Supplement,
 15 2020, is amended to read:
 16 18-819 All property of a regional metropolitan transit authority
 17 created pursuant to the Regional Metropolitan Transit Authority Act, all
 18 such authority's revenue, income, and operations, and all such
 19 authority's revenue bonds and equipment trust notes or certificates shall
 20 be exempt from any and all forms of assessment and taxation by the state
 21 or any political subdivision thereof, except for assessments under the
 22 Nebraska Workers' Compensation Act and any combined tax due or payments
 23 in lieu of contributions as required under the Employment Security Law.
 24 2. Renumber the remaining sections and correct the repealer
 25 accordingly.

The Wayne amendment was adopted with 36 ayes, 0 nays, 8 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 925. [ER108](#), found on page 651, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 925A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 717. Senator McDonnell offered the following amendment:

[AM2061](#)

1 1. Insert the following new section:

2 Section 1. Section 81-8,316, Revised Statutes Supplement, 2021, is
 3 amended to read:

4 81-8,316 For purposes of the In the Line of Duty Compensation Act:

5 (1) Firefighter means a member of a paid or volunteer fire
 6 department in Nebraska, including a member of a rescue squad associated
 7 with a paid or volunteer fire department in Nebraska;

8 (2)(a) Killed in the line of duty means losing one's life as a
 9 result of an injury or illness arising on or after January 1, 2022, in
 10 connection with the active performance of duties as a public safety
 11 officer if the death occurs within three years from the date the injury
 12 was received or illness was diagnosed and if that injury or illness arose
 13 from violence or other accidental cause.

14 (b) Killed in the line of duty excludes death resulting from the
 15 willful misconduct or intoxication of the public safety officer;

16 (3) Law enforcement officer has the same meaning as in section
 17 81-1401 means any member of the Nebraska State Patrol, any county or
 18 deputy sheriff, or any member of the police force of any city or village;

19 (4) Public safety officer means:

20 (a) A firefighter;

21 (b) A law enforcement officer;

22 (c) A member of an emergency medical services ambulance squad
 23 operated by a political subdivision or by a private, nonprofit ambulance
 24 service, but excluding any employee of a private, for-profit ambulance

25 service; or
 26 (d) A correctional officer employed by a jail or by the Department
 27 of Correctional Services;
 1 (5) Risk Manager means the Risk Manager appointed under section
 2 81-8,239.01; and
 3 (6) State Claims Board means the board created under section
 4 81-8,220.
 5 2. On page 3, line 15, strike "section" and insert "sections
 6 81-8,316 and"; and in line 16 strike "is" and insert "are".
 7 3. Renumber the remaining sections accordingly.

The McDonnell amendment was adopted with 30 ayes, 0 nays, 14 present and not voting, and 5 excused and not voting.

Senator Friesen offered the following amendment:

[AM2079](#)

1 1. On page 2, line 10, strike "hundred fifty thousand", show the old
 2 matter as stricken, and insert "million".

The Friesen amendment lost with 21 ayes, 2 nays, 21 present and not voting, and 5 excused and not voting.

Pending.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 320. Introduced by Hunt, 8.

WHEREAS, for decades the profession of social work has been dedicated to improving human well-being and fulfilling the needs of all people especially the most vulnerable; and

WHEREAS, "The Time is Right for Social Work" is the theme of this year's National Social Work Month and embodies how social workers rose to meet the most pressing challenge of all of our lifetimes, the COVID-19 pandemic, even as our nation continues to grapple with systemic racism, economic inequality, global warming, and other crises; and

WHEREAS, social workers are the largest group of mental health care providers in the United States, and work daily to help people, whether in person or remotely, overcome substance use disorders and mental illnesses such as depression or anxiety; and

WHEREAS, social workers aid people in overcoming issues such as death and grief and support people and communities in recovering from increasing natural disasters such as fires, hurricanes, and earthquakes brought on by climate change; and

WHEREAS, social workers help the United States live up to its values by successfully advocating for equal rights for all, including black people, indigenous people, people of color, LBGTQA people, religious groups, and others; and

WHEREAS, the profession of social work is one of the fastest growing careers in the United States, with more than seven hundred fifteen thousand

social workers today and nearly eight hundred thousand professionals expected to be employed as social workers by 2030; and

WHEREAS, social workers continue to champion changes that make our society a better place to live, including advocating for a livable wage, improved workplace safety, and social safety net programs that help ameliorate poverty, hunger, and homelessness; and

WHEREAS, social workers possess the necessary expertise to assist the United States in some of its most pressing issues, such as public health and well-being, especially during the pandemic, equal rights, improved health care and mental health care for all, and immigration reform; and

WHEREAS, social workers serve in all facets of our society to meet the needs of people no matter their individual circumstances and empower them to live to their fullest potential.

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

1. That the Legislature recognizes March 2022 as Social Work Month.
2. That the Legislature encourages all Nebraskans to join with the National Association of Social Workers and the Nebraska Chapter of the National Association of Social Workers in celebration and support of the profession of social work.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Bostelman filed the following amendment to [LB1102A](#):

[AM2212](#)

1 1. On page 2, line 3, strike "334" and insert "513".

Senator Arch filed the following amendment to [LB1037](#):

[AM2149](#)

(Amendments to E&R amendments, ER110)

- 1 1. On page 1, strike lines 13 through 19 and insert the following
- 2 new subsection:
- 3 "(3) The evaluation shall be collaborative and shall include
- 4 involvement by members of the Legislature and members of the executive
- 5 departments described in this subsection. The evaluation shall be
- 6 completed with input from:
- 7 (a) The chairpersons of the Executive Board of the Legislative
- 8 Council, the Government, Military and Veterans Affairs Committee of the
- 9 Legislature, and the Health and Human Services Committee of the
- 10 Legislature or the designees of such chairpersons;
- 11 (b) Other members of the Legislature as such chairpersons deem
- 12 appropriate;
- 13 (c) The Department of Administrative Services;
- 14 (d) The Department of Health and Human Services; and
- 15 (e) Any other using agencies, as defined in section 81-145, deemed
- 16 appropriate to participate by the Department of Administrative
- 17 Services."

Senator McDonnell filed the following amendment to LB964:

AM2146

1 1. Insert the following new section:

2 Sec. 2. Section 81-1373, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 81-1373 (1) For the purpose of implementing the state employees'
5 right to organize for the purpose of collective bargaining, there are
6 hereby created twelve bargaining units for all state agencies except the
7 University of Nebraska, the Nebraska state colleges, and other
8 constitutional offices. The units shall consist of state employees whose
9 job classifications are occupationally and functionally related and who
10 share a community of interest. The bargaining units shall be:

11 (a) Maintenance, Trades, and Technical, which unit is composed of
12 generally recognized blue collar and technical classes, including highway
13 maintenance workers, carpenters, plumbers, electricians, print shop
14 workers, auto mechanics, engineering aides and associates, and similar
15 classes;

16 (b) Administrative Support, which unit is composed of clerical and
17 administrative nonprofessional classes, including typists, secretaries,
18 accounting clerks, computer operators, office service personnel, and
19 similar classes;

20 (c) Health and Human Care Nonprofessional, which unit is composed of
21 institutional care classes, including nursing aides, psychiatric aides,
22 therapy aides, and similar classes;

23 (d) Social Services and Counseling, which unit is composed of
24 generally professional-level workers providing services and benefits to
25 eligible persons. Classes shall include job service personnel, income
26 maintenance personnel, social workers, counselors, and similar classes;

27 (e) Administrative Professional, which unit is composed of
1 professional employees with general business responsibilities, including
2 accountants, buyers, personnel specialists, data processing personnel,
3 and similar classes;

4 (f) Protective Service, which unit is composed of institutional
5 security personnel, including correctional officers, building security
6 guards, and similar classes;

7 (g) Law Enforcement, which unit is composed of employees holding
8 powers of arrest, including Nebraska State Patrol officers and sergeants,
9 conservation officers, fire marshal personnel, and similar classes.
10 Sergeants, investigators, and patrol officers employed by the Nebraska
11 State Patrol as authorized in section 81-2004 shall be presumed to have a
12 community of interest with each other and shall be included in this
13 bargaining unit notwithstanding any other provision of law which may
14 allow for the contrary;

15 (h) Health and Human Care Professional, which unit is composed of
16 community health, nutrition, and health service professional employees,
17 including nurses, doctors, psychologists, pharmacists, dietitians,
18 licensed therapists, and similar classes;

19 (i) Examining, Inspection, and Licensing, which unit is composed of
20 employees empowered to review certain public and business activities,
21 including driver-licensing personnel, revenue agents, bank and insurance
22 examiners who remain in the State Personnel System under sections 8-105
23 and 44-119, various public health and protection inspectors, and similar
24 classes;

25 (j) Engineering, Science, and Resources, which unit is composed of
26 specialized professional scientific occupations, including civil and
27 other engineers, architects, chemists, geologists and surveyors, and
28 similar classes;

29 (k) Teachers, which unit is composed of employees required to be
30 licensed or certified as a teacher; and

31 (l) Supervisory, which unit is composed of employees who are

1 supervisors as defined in section 48-801.
 2 All employees who are excluded from bargaining units pursuant to the
 3 Industrial Relations Act, all employees of the personnel division of the
 4 Department of Administrative Services, and all employees of the Division
 5 of Employee Relations of the Department of Administrative Services shall
 6 be excluded from any bargaining unit of state employees.
 7 (2) Any employee organization, including one which represents other
 8 state employees, may be certified or recognized as provided in the
 9 Industrial Relations Act as the exclusive collective-bargaining agent for
 10 a supervisory unit, except that such unit shall not have full collective-
 11 bargaining rights but shall be afforded only meet-and-confer rights.
 12 (3)(a) ~~(3)~~ It is the intent of the Legislature that the professional
 13 staff employee classifications, including the managerial-professional and
 14 managerial employee classification, classifications and the office and
 15 service staff employee classification, classifications be grouped in
 16 broad occupational units for the University of Nebraska and the Nebraska
 17 state colleges established on a university-wide or college-system-wide
 18 basis, including all campuses within the system.
 19 (b) Any unit entirely composed of supervisory employees of the
 20 University of Nebraska or the Nebraska state colleges shall be afforded
 21 only meet-and-confer rights.
 22 (c) Any bargaining unit seeking to represent an academic-
 23 administrative staff employee classification consisting of faculty,
 24 including adjunct faculty, of the University of Nebraska or of any
 25 administrative unit of the university may organize and seek recognition
 26 or certification by the commission on an administrative unit-wide basis
 27 as otherwise determined pursuant to the Industrial Relations Act.
 28 (d) The bargaining units for academic, faculty, and teaching
 29 employees of the ~~University of Nebraska and the Nebraska state colleges~~
 30 shall continue as they existed on April 9, 1987, ~~plus the addition of~~
 31 ~~Kearney State College,~~ and any adjustments thereto or new units therefor
 1 shall continue to be determined pursuant to the Industrial Relations Act.
 2 (4) Other constitutional offices shall continue to subscribe to the
 3 procedures for unit determination in the Industrial Relations Act, except
 4 that the commission is further directed to determine the bargaining units
 5 in such manner as to (a) reduce the effect of overfragmentation of
 6 bargaining units on the efficiency of administration and operations of
 7 the constitutional office and (b) be consistent with the administrative
 8 structure of the constitutional office. Any unit entirely composed of
 9 supervisory employees of a constitutional office shall be afforded only
 10 meet-and-confer rights.
 11 2. Renumber the remaining section and correct the repealer
 12 accordingly.

Senator Flood filed the following amendment to LB707:
AM2205

(Amendments to Standing Committee amendments, AM1859)

1 1. Insert the following new section:
 2 Sec. 29. Section 8-3009, Revised Statutes Supplement, 2021, is
 3 amended to read:
 4 8-3009 (1) At all times, a digital asset depository shall maintain
 5 unencumbered liquid assets denominated in United States dollars valued at
 6 not less than one hundred percent of the value of any outstanding
 7 stablecoin issued by the digital asset depository ~~digital assets in~~
 8 ~~custody.~~
 9 (2) For purposes of this section, liquid assets means:
 10 (a) United States currency held on the premises of the digital asset
 11 depository that is not a digital asset depository institution;
 12 (b) United States currency held for the digital asset depository by
 13 a federal reserve bank or a Federal Deposit Insurance Corporation-insured

14 financial institution which has a main-chartered office in this state,
 15 any branch thereof in this state, or any branch of the financial
 16 institution which maintained a main-chartered office in this state prior
 17 to becoming a branch of such financial institution; or
 18 (c) Investments which are highly liquid and obligations of the
 19 United States Treasury or other federal agency obligations, consistent
 20 with rules and regulations or order adopted by the director.
 21 2. Correct the operative date and repealer sections so that the
 22 section added by this amendment becomes operative three calendar months
 23 after the adjournment of this legislative session.
 24 3. Renumber the remaining sections and correct internal references
 25 accordingly.

Senator Albrecht filed the following amendment to [LB933](#):
[AM2207](#)

1 1. On page 3, line 19, strike "act" and insert "Nebraska Human Life
 2 Protection Act".

SELECT FILE

LEGISLATIVE BILL 717. Senator Clements offered the following amendment:

[FA73](#)

On page 2, line 10, strike two hundred and fifty and insert one hundred.

The Clements amendment lost with 5 ayes, 25 nays, 16 present and not voting, and 3 excused and not voting.

Senator Lowe requested a machine vote on the advancement of the bill.

Advanced to Enrollment and Review for Engrossment with 32 ayes, 4 nays, 10 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 1037. [ER110](#), found on page 667, was adopted.

Senator Wayne withdrew his amendment, [AM2047](#), found on page 646.

Senator Arch offered his amendment, [AM2149](#), found in this day's Journal.

The Arch amendment was adopted with 43 ayes, 0 nays, 3 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 964. Senator McDonnell offered his amendment, [AM2146](#), found in this day's Journal.

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

Advanced to Enrollment and Review for Engrossment.

MOTION(S) - Place LB773 on General File

Senator Brewer offered his motion, [MO151](#), found on page 722, to place LB773 on General File pursuant to Rule 3, Section 20(b).

Senator Brewer moved for a call of the house. The motion prevailed with 36 ayes, 2 nays, and 11 not voting.

Senator Slama requested a roll call vote on the motion to place LB773 on General File.

Voting in the affirmative, 30:

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

Voting in the negative, 12:

Bostar	Day	Lathrop	Vargas
Cavanaugh, J.	Hansen, M.	McKinney	Walz
Cavanaugh, M.	Hunt	Morfeld	Wishart

Excused and not voting, 7:

Aguilar	DeBoer	Pansing Brooks	Wayne
Blood	McCollister	Stinner	

The Brewer motion to place LB773 on General File prevailed with 30 ayes, 12 nays, and 7 excused and not voting.

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to [LB917](#):
[AM2204](#) is available in the Bill Room.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Linehan name added to LB933.

VISITOR(S)

Visitors to the Chamber were a group from Girl Scouts Spirit of Nebraska; a group from Leadership Kearney; a group from Southwest Nebraska Leadership Institute, McCook; students and teachers from St. Libory Elementary, Grand Island; students from the University of Nebraska-Lincoln; and a group from Leadership Sarpy County.

The Doctor of the Day was Dr. Christi Keim of Lincoln.

ADJOURNMENT

At 5:11 p.m., on a motion by Senator Pahls, the Legislature adjourned until 9:00 a.m., Wednesday, March 9, 2022.

Patrick J. O'Donnell
Clerk of the Legislature