

**FORTIETH DAY - MARCH 11, 2022****LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE  
SECOND SESSION****FORTIETH DAY**

Legislative Chamber, Lincoln, Nebraska  
Friday, March 11, 2022

**PRAYER**

The prayer was offered by Father Ryan Lewis, St. Elizabeth Ann Seton Catholic Church, Omaha.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Albrecht.

**ROLL CALL**

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

The roll was called and all members were present except Senators Bostar, Day, DeBoer, B. Hansen, Hunt, McCollister, Slama, Walz, and Wayne who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the thirty-ninth day was approved.

**REPORTS**

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

**REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of March 10, 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

Baxter, Todd  
 Charter Communications, Inc.  
 Conrad, Danielle  
 ACLU Nebraska (Withdrawn 03/09/2022)  
 Milone, Tiffany  
 OpenSky Policy Institute  
 Wicks, Cheryl  
 Mosaic

**COMMITTEE REPORT(S)**  
 Executive Board

**LEGISLATIVE BILL 686.** Placed on General File.

**LEGISLATIVE BILL 777.** Placed on General File with amendment.

[AM2131](#)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. (1) The Legislative Council, through the Executive Board  
 4 of the Legislative Council, shall develop and maintain a publicly  
 5 accessible, digital Internet archive of closed captioned video coverage  
 6 of the Legislature, including all floor debate and public committee  
 7 hearings indexed by legislative bill or resolution number or by date,  
 8 beginning with the coverage of the One Hundred Eighth Legislature, Second  
 9 Session, in January 2024 or as soon as live, closed captioned video  
 10 coverage of the Legislature is available for use, whichever is sooner, as  
 11 provided in section 79-1316.  
 12 (2) All applicable historical video coverage of the Legislature  
 13 shall be collected and added to the digital archive as available.  
 14 Applicable historical video coverage shall only consist of video coverage  
 15 of the Legislature captured by the Nebraska Educational  
 16 Telecommunications Commission and closed captioned prior to January 1,  
 17 2024.  
 18 (3) Such archive is intended solely for educational and  
 19 informational purposes and to enhance access for the public in keeping  
 20 with the Legislature's commitment to transparency in state government.  
 21 (4) To the extent that funds from the federal American Rescue Plan  
 22 Act of 2021, Public Law 117-2, Subtitle M, Sec. 9901, are available for  
 23 use by the Executive Board of the Legislative Council in the development  
 24 and maintenance of the digital archive of video coverage of the  
 25 Legislature, such funding shall be requested and utilized by the  
 26 executive board for such purposes.  
 27 Sec. 2. Section 50-114, Reissue Revised Statutes of Nebraska, is  
 1 amended to read:  
 2 50-114 (1) It shall be the duty of the Clerk of the Legislature to  
 3 attend the sessions of the Legislature, to call the roll, read the  
 4 journals, bills, memorials, resolutions, petitions, and all other papers  
 5 or documents necessary to be read in the Legislature, to keep a correct  
 6 journal of the proceedings in the Legislature, and to do and perform such  
 7 other duties as may be imposed upon ~~the clerk him~~ by the Legislature or  
 8 by the Executive Board of the Legislative Council.  
 9 (2) The records of all floor debate and committee hearings as  
 10 prepared and permanently maintained by the Clerk of the Legislature are  
 11 the official records of the Legislature.  
 12 (3) Any government website offering access to audio and video  
 13 recordings of the proceedings of the Legislature or of a committee or  
 14 division of the Legislature shall require notification to any website

15 user, using appropriate technology, that such recordings shall not be  
 16 used for political or commercial purposes.

17 Sec. 3. Section 50-402, Reissue Revised Statutes of Nebraska, is  
 18 amended to read:

19 50-402 The Legislative Council shall occupy and maintain offices in  
 20 the State Capitol.

21 It shall be the duty of the council:

22 (1) To collect information concerning the government and general  
 23 welfare of the state;

24 (2) To examine the effects of previously enacted statutes and  
 25 recommend amendments thereto;

26 (3) To deal with important issues of public policy and questions of  
 27 statewide interest;

28 (4) To prepare a legislative program in the form of bills or  
 29 otherwise as in its opinion the welfare of the state may require, to be  
 30 presented at the next session of the Legislature;

31 (5) To study federal aid to the state and its political subdivisions  
 1 and advise the Legislature of money, land, or buildings available from  
 2 the federal government, matching funds necessary, grants and aids, and  
 3 what new legislation will be needed;

4 (6) To establish and maintain a complete and efficient bill drafting  
 5 service for the purpose of aiding and assisting members of the  
 6 Legislature and the executive departments of the state in the preparation  
 7 of bills, resolutions, and measures and in drafting the same in proper  
 8 form, and for this purpose there shall be assigned to the council for  
 9 such work, rooms in the State Capitol conveniently situated in reference  
 10 to the legislative chamber;

11 (7) To provide, through the Revisor of Statutes, for the publication  
 12 of supplements and replacement volumes of the statutes of Nebraska; ~~and~~

13 (8) To provide, through the Executive Board of the Legislative  
 14 Council, for the development and maintenance of a publicly accessible,  
 15 indexed, digital Internet archive of closed captioned video coverage of  
 16 the Legislature as provided in section 1 of this act; and

17 ~~(9)~~ (8) To set up subcommittees within the executive board to carry  
 18 out functions such as investigation of any area which it may decide is in  
 19 the public interest with power to employ such additional personnel as may  
 20 be needed to carry out the intent and activities of the executive board  
 21 or the Legislature.

22 Sec. 4. Section 79-1312, Reissue Revised Statutes of Nebraska, is  
 23 amended to read:

24 79-1312 Sections 79-1312 to 79-1322 and sections 7 and 8 of this act  
 25 shall be known and may be cited as the Nebraska Educational  
 26 Telecommunications Act.

27 Sec. 5. Section 79-1313, Reissue Revised Statutes of Nebraska, is  
 28 amended to read:

29 79-1313 The Nebraska Educational Telecommunications Act creates the  
 30 Nebraska Educational Telecommunications Commission for the purpose of (1)  
 31 promoting and establishing noncommercial educational telecommunications  
 1 facilities within the State of Nebraska, (2) providing noncommercial  
 2 educational telecommunications programs throughout the State of Nebraska  
 3 by digital broadcast, by closed-circuit transmission, by Internet-based  
 4 delivery, or by other telecommunications technology distribution systems,  
 5 ~~and~~ (3) operating statewide educational and public radio and television  
 6 networks, facilities, and services, and (4) providing closed captioned  
 7 live video coverage of the Legislature as provided in section 79-1316.

8 The commission shall seek funding from federal, state, foundation, and  
 9 private sources for capital construction and annual operations.

10 Sec. 6. Section 79-1316, Reissue Revised Statutes of Nebraska, is  
 11 amended to read:

12 79-1316 The powers and duties of the Nebraska Educational

13 Telecommunications Commission are:

- 14 (1) To promote and sponsor a noncommercial educational television  
15 network to serve a series of interconnecting units throughout the State  
16 of Nebraska;
- 17 (2) To promote and support locally operated or state-operated  
18 noncommercial educational radio stations with satellite receiving  
19 capabilities and improved transmitter coverage;
- 20 (3) To apply for and to receive and hold such authorizations,  
21 licenses, and assignments of channels from the Federal Communications  
22 Commission as may be necessary to conduct such educational  
23 telecommunications programs by standard radio and television broadcast or  
24 by other telecommunications technology broadcast systems and to prepare,  
25 file, and prosecute before the Federal Communications Commission all  
26 applications, reports, or other documents or requests for authorization  
27 of any kind necessary or appropriate to achieve the purposes set forth in  
28 the Nebraska Educational Telecommunications Act;
- 29 (4) To receive gifts and contributions from public and private  
30 sources to be expended in providing educational telecommunications  
31 facilities and programs;
- 1 (5) To acquire real estate and other property as an agency of the  
2 State of Nebraska and to hold and use the same for educational  
3 telecommunications purposes;
- 4 (6) To contract for the construction, repair, maintenance, and  
5 operation of telecommunications facilities;
- 6 (7) To contract with common carriers, qualified under the laws of  
7 the State of Nebraska, to provide interconnecting channels or satellite  
8 facilities in support of radio, television, and other telecommunications  
9 technology services unless it is first determined by the Nebraska  
10 Educational Telecommunications Commission that state-owned  
11 interconnecting channels can be constructed and operated that would  
12 furnish a comparable quality of service at a cost to the state that would  
13 be less than if such channels were provided by qualified common carriers;
- 14 (8) To provide for programming for the visually impaired, other  
15 print-handicapped persons, and the deaf and hard of hearing as authorized  
16 by the Federal Communications Commission under subsidiary communications  
17 authority rules, through contracts with appropriate nonprofit  
18 corporations or organizations which have been created for such purpose;
- 19 (9) To arrange for the operation of statewide educational  
20 telecommunications networks, as directed by the Nebraska Educational  
21 Telecommunications Commission, consistent with the provisions of the  
22 federal Communications Act of 1934, as amended, and applicable rules and  
23 regulations, with policies of the Federal Communications Commission, in  
24 cooperation with the State Board of Education insofar as elementary and  
25 secondary education programs are concerned, and in cooperation with the  
26 Coordinating Commission for Postsecondary Education insofar as  
27 postsecondary education programs are concerned;
- 28 (10) After taking into consideration the needs of the entire state,  
29 to establish and maintain general policies relating to the nature and  
30 character of educational telecommunications broadcasts or transmissions;
- 31 (11) To review, or cause to be reviewed by a person designated by  
1 the commission, all programs presented on the network prior to broadcast  
2 or transmission to insure that the programs are suitable for viewing and  
3 listening. Such suitability shall be determined by evaluating the content  
4 of the program, and screening the programs if necessary, as to their  
5 educational value and whether they enhance the cultural appreciation of  
6 the viewer and listener and do not appeal to his or her prurient  
7 interest. When it is obvious from an examination of the descriptive  
8 program materials that a program is suitable for presenting on the  
9 network, no further review shall be required;
- 10 (12) To cooperate with federal or state agencies for the purpose of

11 obtaining matching federal or state funds and providing educational  
 12 telecommunications facilities of all types throughout the state and to  
 13 make such reports as may be required of recipients of matching funds;  
 14 (13) To arrange for and provide digital radio and television  
 15 broadcast and other telecommunications technology transmissions of  
 16 noncommercial educational telecommunications programs to Nebraska  
 17 citizens and institutions, but no tax funds shall be used for program  
 18 advertising which may only be financed out of funds received from  
 19 foundations or individual gifts;  
 20 (14) To coordinate with Nebraska agencies that deal with  
 21 telecommunications activities and are supported in whole or in part by  
 22 public funds;  
 23 (15) To adopt bylaws for the conduct of its affairs;  
 24 (16) To make certain that the facilities are not used for any  
 25 purpose which is contrary to the United States Constitution or the  
 26 Constitution of Nebraska or for broadcasting propaganda or attempting to  
 27 influence legislation;  
 28 (17) To publish such informational material as it deems necessary  
 29 and it may, at its discretion, charge appropriate fees therefor. The  
 30 proceeds of all such fees shall be remitted to the State Treasurer for  
 31 credit to the State Educational Telecommunications Fund and shall be used  
 1 by the commission solely for publishing such informational material. The  
 2 commission shall provide to newspapers, radio stations, and other news  
 3 media program schedules informing the public of programs approved by the  
 4 commission; ~~and~~  
 5 (18) To maintain a digital archive of programs and educational  
 6 content containing stories, events, individuals, and performances which  
 7 are significant or prominent in Nebraska history; ~~and -~~  
 8 (19) To provide live, closed captioned video coverage of the  
 9 Legislature, including all floor debate and public committee hearings,  
 10 beginning with coverage of the One Hundred Eighth Legislature, Second  
 11 Session, in January 2024 or as soon as the commission has closed  
 12 captioning capabilities, whichever is sooner.  
 13 Sec. 7. Nothing in the Nebraska Educational Telecommunications Act  
 14 shall be construed to require the Nebraska Educational Telecommunications  
 15 Commission to post or distribute any work in a manner that would  
 16 constitute a violation of federal copyright law.  
 17 Sec. 8. To the extent that funds from the federal American Rescue  
 18 Plan Act of 2021, Public Law 117-2, Subtitle M, Sec. 9901, are available  
 19 for use by the Nebraska Educational Telecommunications Commission in the  
 20 development and maintenance of live closed captioned video coverage of  
 21 the Legislature, such funding shall be requested and utilized by the  
 22 commission for such purposes.  
 23 Sec. 9. The Revisor of Statutes shall assign section 1 of this act  
 24 to Chapter 50.  
 25 Sec. 10. Original sections 50-114, 50-402, 79-1312, 79-1313, and  
 26 79-1316, Reissue Revised Statutes of Nebraska, are repealed.

**LEGISLATIVE RESOLUTION 18CA.** Placed on General File with amendment.

[AM2216](#)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. At the general election in November 2022, the following  
 4 proposed amendment to the Constitution of Nebraska shall be submitted to  
 5 the electors of the State of Nebraska for approval or rejection:  
 6 To amend Article III, section 12:  
 7 III-12 (1) No person shall be eligible to serve as a member of the  
 8 Legislature for four years next after the expiration of ~~three two~~  
 9 consecutive terms regardless of the district represented.

10 (2) For a person serving as a member of the Legislature as of  
 11 January 1, 2022, if, as of such date:  
 12 (a) Such person is serving a second consecutive term, the changes  
 13 made to subsection (1) of this section by Laws 2022, LR18CA, shall not  
 14 apply until four years next after the expiration of such term;  
 15 (b) Such person is not serving a second consecutive term and is not  
 16 reelected to a second consecutive term, the changes made to subsection  
 17 (1) of this section by Laws 2022, LR18CA, shall not apply until four  
 18 years next after the expiration of the term such person is serving as of  
 19 January 1, 2022; and  
 20 (c) Such person is not serving a second consecutive term and is  
 21 reelected to a second consecutive term, the changes made to subsection  
 22 (1) of this section by Laws 2022, LR18CA, shall not apply until four  
 23 years next after the expiration of such second consecutive term.  
 24 (2) Service prior to January 1, 2001, as a member of the Legislature  
 25 shall not be counted for the purpose of calculating consecutive terms in  
 26 subsection (1) of this section.  
 27 (3) For the purpose of this section, service in office for more than  
 1 one-half of a term shall be deemed service for a term.  
 2 Sec. 2. The proposed amendment shall be submitted to the electors  
 3 in the manner prescribed by the Constitution of Nebraska, Article XVI,  
 4 section 1, with the following ballot language:  
 5 A constitutional amendment to change the limit on legislative terms  
 6 from two consecutive terms to three consecutive terms.  
 7 For  
 8 Against.

(Signed) Dan Hughes, Chairperson

### GENERAL FILE

**LEGISLATIVE BILL 773.** Considered.

Senator Morfeld withdrew his amendment, [AM2297](#), found on page 802 and considered on page 805.

The Brewer amendment, [AM1757](#), found on page 509 and considered on pages 792 and 802, was renewed.

Senator M. Cavanaugh offered her amendment, [AM1907](#), found on page 706, to the Brewer amendment.

### SENTATOR WILLIAMS PRESIDING

Pending.

### COMMITTEE REPORT(S) Appropriations

**LEGISLATIVE BILL 1012.** Placed on General File with amendment. [AM2000](#) is available in the Bill Room.

**LEGISLATIVE BILL 1011.** Placed on General File with amendment. [AM1999](#) is available in the Bill Room.

**LEGISLATIVE BILL 1013.** Placed on General File with amendment.AM2001

1 1. Strike the original sections and insert the following new  
2 sections:

3 Section 1. Section 84-612, Revised Statutes Supplement, 2021, is  
4 amended to read:

5 84-612 (1) There is hereby created within the state treasury a fund  
6 known as the Cash Reserve Fund which shall be under the direction of the  
7 State Treasurer. The fund shall only be used pursuant to this section.

8 (2) The State Treasurer shall transfer funds from the Cash Reserve  
9 Fund to the General Fund upon certification by the Director of  
10 Administrative Services that the current cash balance in the General Fund  
11 is inadequate to meet current obligations. Such certification shall  
12 include the dollar amount to be transferred. Any transfers made pursuant  
13 to this subsection shall be reversed upon notification by the Director of  
14 Administrative Services that sufficient funds are available.

15 (3) In addition to receiving transfers from other funds, the Cash  
16 Reserve Fund shall receive federal funds received by the State of  
17 Nebraska for undesignated general government purposes, federal revenue  
18 sharing, or general fiscal relief of the state.

19 (4) The State Treasurer shall transfer fifty-four million seven  
20 hundred thousand dollars on or after July 1, 2019, but before June 15,  
21 2021, from the Cash Reserve Fund to the Nebraska Capital Construction  
22 Fund on such dates and in such amounts as directed by the budget  
23 administrator of the budget division of the Department of Administrative  
24 Services.

25 (5) The State Treasurer shall transfer two hundred fifteen million  
26 five hundred eighty thousand dollars from the Cash Reserve Fund to the  
27 Nebraska Capital Construction Fund on or after July 1, 2022, but before  
1 June 15, 2023, on such dates and in such amounts as directed by the  
2 budget administrator of the budget division of the Department of  
3 Administrative Services.

4 (6) The State Treasurer shall transfer fifty-three million five  
5 hundred thousand dollars from the Cash Reserve Fund to the Perkins County  
6 Canal Project Fund on or before June 30, 2023, on such dates and in such  
7 amounts as directed by the budget administrator of the budget division of  
8 the Department of Administrative Services.

9 (7) ~~No (5) The State Treasurer shall transfer thirty million dollars~~  
10 ~~from the Cash Reserve Fund to the General Fund after November 15, 2020,~~  
11 ~~but before December 31, 2020, on such date as directed by the budget~~  
12 ~~administrator of the budget division of the Department of Administrative~~  
13 ~~Services. Except for the transfer authorized in this subsection, no funds~~  
14 ~~shall be transferred from the Cash Reserve Fund to fulfill the~~  
15 ~~obligations created under the Nebraska Property Tax Incentive Act unless~~  
16 ~~the balance in the Cash Reserve Fund after such transfer will be at least~~  
17 ~~equal to five hundred million dollars.~~

18 (8) (6) The State Treasurer shall transfer ~~thirty~~ thirty five million  
19 dollars from the Cash Reserve Fund to the Military Base Development and  
20 Support United States Space Command Headquarters Assistance Fund on or  
21 before June 30, 2023, but not before July 1, 2022, on such dates and in  
22 such amounts as directed by the budget administrator of the budget  
23 division of the Department of Administrative Services. The transfer in  
24 this subsection shall not occur unless the State of Nebraska is selected  
25 as the site of the United States Space Command headquarters.

26 (9) The State Treasurer shall transfer eight million three hundred  
27 thousand dollars from the Cash Reserve Fund to the Trail Development and  
28 Maintenance Fund on or after July 1, 2022, but before July 30, 2022, on  
29 such dates and in such amounts as directed by the budget administrator of  
30 the budget division of the Department of Administrative Services.

31 (10) The State Treasurer shall transfer fifty million dollars from

1 the Cash Reserve Fund to the Nebraska Rural Projects Fund on or after  
2 July 1, 2022, but before July 15, 2023, on such dates and in such amounts  
3 as directed by the budget administrator of the budget division of the  
4 Department of Administrative Services.  
5 (11) The State Treasurer shall transfer thirty million dollars from  
6 the Cash Reserve Fund to the Rural Workforce Housing Investment Fund on  
7 or after July 1, 2022, but before July 15, 2023, on such dates and in  
8 such amounts as directed by the budget administrator of the budget  
9 division of the Department of Administrative Services.  
10 (12) The State Treasurer shall transfer twenty million dollars from  
11 the Cash Reserve Fund to the Intern Nebraska Cash Fund on or after July  
12 1, 2022, but before June 15, 2023, on such dates and in such amounts as  
13 directed by the budget administrator of the budget division of the  
14 Department of Administrative Services.  
15 (13) The State Treasurer shall transfer twenty million dollars from  
16 the Cash Reserve Fund to the Middle Income Workforce Housing Investment  
17 Fund on July 15, 2022, or as soon thereafter as administratively  
18 possible, and in such amounts as directed by the budget administrator of  
19 the budget division of the Department of Administrative Services.  
20 (14) The State Treasurer shall transfer eighty million dollars from  
21 the Cash Reserve Fund to the Jobs and Economic Development Initiative  
22 Fund on or after July 1, 2022, but before July 15, 2023, on such dates  
23 and in such amounts as directed by the budget administrator of the budget  
24 division of the Department of Administrative Services.  
25 (15) The State Treasurer shall transfer twenty million dollars from  
26 the Cash Reserve Fund to the Site and Building Development Fund on July  
27 15, 2022, or as soon thereafter as administratively possible, and in such  
28 amounts as directed by the budget administrator of the budget division of  
29 the Department of Administrative Services.  
30 (16) The State Treasurer shall transfer fifty million dollars from  
31 the Cash Reserve Fund to the Surface Water Irrigation Infrastructure Fund  
1 on or after July 15, 2022, but before January 1, 2023, on such dates and  
2 in such amounts as directed by the budget administrator of the budget  
3 division of the Department of Administrative Services.  
4 Sec. 2. Original section 84-612, Revised Statutes Supplement, 2021,  
5 is repealed.  
6 Sec. 3. Since an emergency exists, this act takes effect when  
7 passed and approved according to law.

(Signed) John Stinner, Chairperson

#### **BILL ON FIRST READING**

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

**LEGISLATIVE BILL 697A.** Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 697, One Hundred Seventh Legislature, Second Session, 2022.



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

Senator Bostelman filed the following amendment to [LB1045](#):  
[AM2263](#)

(Amendments to Standing Committee amendments, AM2081)

1 1. On page 5, strike lines 1 through 8 and insert the following new  
2 subdivision:  
3 "(6) Reliable or reliability means the ability of an electric  
4 supplier to supply the aggregate electric power and energy requirements  
5 of its electricity consumers in Nebraska at all times under normal  
6 operating conditions, taking into account scheduled and unscheduled  
7 outages, including sudden disturbances or unanticipated loss of system  
8 components that are to be reasonably expected for any electric utility  
9 following prudent utility practices;".

Senator Linehan filed the following amendment to [LB1218](#):  
[AM2284](#)

(Amendments to Standing Committee amendments, AM2213)

1 1. Strike sections 1 to 8 and insert the following new sections:  
2 Section 1. Sections 1 to 8 of this act shall be known and may be  
3 cited as the Teach in Nebraska Today Act.  
4 Sec. 2. For purposes of the Teach in Nebraska Today Act:  
5 (1) Default has the same meaning as in 20 U.S.C. 1085, as such  
6 section existed on January 1, 2022;  
7 (2) Department means the State Department of Education;  
8 (3) Program means the Teach in Nebraska Today Program created in  
9 section 3 of this act;  
10 (4) Teacher aid means and includes:  
11 (a) Student loan repayment assistance provided pursuant to  
12 subsection (2) of section 6 of this act; and  
13 (b) Stipends provided pursuant to subsection (3) of section 6 of  
14 this act; and  
15 (5) Teaching full-time means (a) teaching an average of at least  
16 four hours per contract day performing instructional duties as a full-  
17 time employee of an approved or accredited public, private,  
18 denominational, or parochial school in this state or (b) teaching an  
19 average of at least four hours per contract day performing dual-credit  
20 instructional duties for students of approved or accredited public,  
21 private, denominational, or parochial schools in this state while  
22 employed full-time at an accredited public or private nonprofit college  
23 or university in this state.  
24 Sec. 3. The Teach in Nebraska Today Program is created. The  
25 department shall administer the program. The purpose of the program is to  
26 attract individuals to the teaching profession who have expressed an  
1 interest in teaching and to support the employment of those individuals  
2 as classroom teachers by providing teacher aid for service as a classroom  
3 teacher in this state.  
4 Sec. 4. (1) Teacher aid under the program shall be available to an  
5 individual who applies for the aid and who:  
6 (a) Is a resident of the State of Nebraska; and  
7 (b) Is teaching full-time or has a contract to teach full-time at  
8 the time of application for the program.  
9 (2) The amount of teacher aid awarded to an eligible applicant  
10 pursuant to this section shall be limited to five thousand dollars per  
11 year. An eligible applicant may be awarded teacher aid for up to five  
12 years. The five years of awards are not required to be consecutive but  
13 shall not extend beyond eight years in total.  
14 (3) If the funds available for teacher aid in any year are  
15 insufficient to provide aid to all eligible applicants described in

16 subsection (1) of this section, the department shall establish priorities  
17 for awarding teacher aid with renewal applications given priority over  
18 initial applications. For initial applications, priority shall be given  
19 as follows:

20 (a) First priority shall be given to applicants who (i) have no more  
21 than one year of full-time teaching experience and (ii) demonstrate  
22 financial need;

23 (b) Second priority shall be given to applicants who (i) have no  
24 more than one year of full-time teaching experience and (ii) do not  
25 demonstrate financial need;

26 (c) Third priority shall be given to applicants who (i) have more  
27 than one year but no more than three years of full-time teaching  
28 experience and (ii) demonstrate financial need; and

29 (d) Fourth priority shall be given to applicants who (i) have more  
30 than one year but no more than three years of full-time teaching  
31 experience and (ii) do not demonstrate financial need.

1 Sec. 5. Applications for teacher aid must be submitted no later  
2 than June 10, 2023, and no later than June 10 of each year thereafter, on  
3 a form developed by the department. The department shall determine  
4 whether to approve or deny each application and shall notify each  
5 applicant of such determination no later than September 10, 2023, and no  
6 later than September 10 of each year thereafter. Teacher aid awarded  
7 under the program shall be paid, in whole or in part as provided in  
8 section 6 of this act, no later than November 10, 2023, and no later than  
9 November 10 of each year thereafter.

10 Sec. 6. (1) Teacher aid awarded under the program shall be paid as  
11 student loan repayment assistance pursuant to subsection (2) of this  
12 section or as a stipend pursuant to subsection (3) of this section. The  
13 applicant shall select the method of payment on his or her application.

14 (2)(a) Student loan repayment assistance awarded under the program  
15 shall be paid in one of the following two ways as directed by the  
16 applicant on his or her application:

17 (i) Directly to the lender or loan servicer that holds the  
18 outstanding balance of the student loan in one lump-sum payment; or

19 (ii) Directly to the lender or loan servicer that holds the  
20 outstanding balance of the student loan in monthly payments. Such monthly  
21 payments shall be made:

22 (A) In twelve equal payments; or

23 (B) If requested by the applicant, in smaller amounts over a longer  
24 period of time, not to exceed twenty-four months. In such case, payments  
25 shall be equal for the first twelve months or until such time as the  
26 applicant's payment amount is recalculated by the lender or loan servicer  
27 and then, if adjusted, shall be equal for the next twelve-month period.

28 Any unpaid funds at the end of twenty-four months may be requested to be  
29 paid in a lump-sum payment to the lender or loan servicer or shall be  
30 considered forfeited by the applicant. Applicants who are awarded student  
31 loan repayment assistance in more than one year may have their awards  
1 divided across no more than one hundred twenty monthly payments under the  
2 program.

3 (b) An eligible applicant may receive student loan repayment  
4 assistance under the program for the repayment of a student loan that was  
5 received through any lender and that was incurred in the applicant's own  
6 name for his or her own educational expenses at any accredited public or  
7 private nonprofit college or university in this state or any other state.  
8 If the loan is not a state or federal guaranteed student loan, the note  
9 or other writing governing the terms of the loan must require the loan  
10 proceeds to be used for expenses incurred by the applicant to attend an  
11 accredited public or private nonprofit college or university in this  
12 state or any other state.

13 (c) Student loan repayment assistance awarded under the program may

14 be applied to the principal amount of the loan and to interest that  
 15 accrues.  
 16 (d) The department may contract with a third-party vendor to  
 17 administer the student loan repayment assistance provided pursuant to  
 18 this subsection.  
 19 (3) Stipends awarded under the program shall be paid directly to the  
 20 applicant and may be used for the applicant's living expenses. Stipends  
 21 shall only be available if the applicant is not in default on any student  
 22 loan at the time of application.  
 23 Sec. 7. The total amount of teacher aid awarded pursuant to the  
 24 program shall not exceed five million dollars in any fiscal year.  
 25 Sec. 8. The State Board of Education may adopt and promulgate rules  
 26 and regulations to carry out the Teach in Nebraska Today Act.  
 27 2. On page 14, strike lines 9 through 12 and insert the following  
 28 new subsection:  
 29 "(18) There shall be subtracted from the federal adjusted gross  
 30 income of individuals any amount received by the individual as teacher  
 31 aid under the Teach in Nebraska Today Act, to the extent such amount is  
 1 included in federal adjusted gross income. For purposes of this  
 2 subsection, teacher aid has the same meaning as in section 2 of this  
 3 act."

## RESOLUTION(S)

**LEGISLATIVE RESOLUTION 330.** Introduced by Linehan, 39.

PURPOSE: The purpose of this resolution is to propose an interim study to determine what percentage should be used to forecast revenue when preparing fiscal notes and determine if state agencies or political subdivisions should use the same percentage when preparing their estimates on the fiscal impact of a specific bill. The study should also examine how the percentage interplays with the Nebraska Economic Forecasting Advisory Board when calculating the increase or decrease in projected revenue.

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

1. That the Appropriations Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council and the Clerk of the Legislature.

Referred to the Executive Board.

## GENERAL FILE

**LEGISLATIVE BILL 773.** The Brewer amendment, [AM1757](#), found on page 509 and considered on pages 792, 802, and in this day's Journal, was renewed.

The M. Cavanaugh amendment, [AM1907](#), found on page 706 and considered in this day's Journal, to the Brewer amendment, was renewed.

Senator Morfeld offered the following motion:

[MO154](#)

Bracket until April 20, 2022.

Senator M. Cavanaugh requested a point of order.

The M. Cavanaugh requested point of order was not recognized by the Chair.

Pending.

### **MOTION - Adjournment**

Senator M. Hansen moved to adjourn until 10:00 a.m., Monday, March 14, 2022.

Senator Wayne requested a machine vote on the motion to adjourn.

The M. Hansen motion to adjourn failed with 4 ayes, 35 nays, 8 present and not voting, and 2 excused and not voting.

### **GENERAL FILE**

**LEGISLATIVE BILL 773.** The Brewer amendment, [AM1757](#), found on page 509 and considered on pages 792, 802, and in this day's Journal, was renewed.

The M. Cavanaugh amendment, [AM1907](#), found on page 706 and considered in this day's Journal, to the Brewer amendment, was renewed.

The Morfeld motion, [MO154](#), found and considered in this day's Journal, to bracket until April 20, 2022, was renewed.

Senator Brewer offered the following motion:

[MO155](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Brewer moved for a call of the house. The motion prevailed with 33 ayes, 1 nay, and 15 not voting.

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

Voting in the affirmative, 36:

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

Voting in the negative, 9:

Bostar           Cavanaugh, M.   Hansen, M.   Morfeld           Vargas  
Cavanaugh, J.   DeBoer           Lathrop       Pansing Brooks

Present and not voting, 3:

McKinney      Walz              Wishart

Excused and not voting, 1:

Hunt

The Brewer motion to invoke cloture prevailed with 36 ayes, 9 nays, 3 present and not voting, and 1 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on the Morfeld motion to bracket.

Voting in the affirmative, 5:

Cavanaugh, J.   Cavanaugh, M.   Hansen, M.   Lathrop       Morfeld

Voting in the negative, 42:

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

Present and not voting, 1:

Walz

Excused and not voting, 1:

Hunt

The Morfeld motion to bracket failed with 5 ayes, 42 nays, 1 present and not voting, and 1 excused and not voting.

The M. Cavanaugh amendment, AM1907, lost with 9 ayes, 33 nays, 6 present and not voting, and 1 excused and not voting.

The Brewer amendment, AM1757, was adopted with 39 ayes, 2 nays, 7 present and not voting, and 1 excused and not voting.

Senator Flood requested a roll call vote on the advancement of the bill.

Senator Blood requested the roll call vote be taken in reverse order.

Voting in the affirmative, 35:

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

Voting in the negative, 9:

Bostar	Cavanaugh, M.	Hansen, M.	Morfeld	Vargas
Cavanaugh, J.	DeBoer	Lathrop	Pansing Brooks	

Present and not voting, 4:

McCollister	McKinney	Walz	Wishart
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Excused and not voting, 1:

Hunt

Advanced to Enrollment and Review Initial with 35 ayes, 9 nays, 4 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

### **BILL ON FINAL READING**

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB767 with 37 ayes, 5 nays, 6 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 767.**

A BILL FOR AN ACT relating to pharmacy benefit managers; to adopt the Pharmacy Benefit Manager Licensure and Regulation Act; to eliminate

provisions relating to pharmacy benefit managers; to provide an operative date; to provide severability; and to outright repeal section 71-2484, Revised Statutes Cumulative Supplement, 2020.

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, 48:

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

Voting in the negative, 0.

Excused and not voting, 1:

Hunt

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

#### **MOTION(S) - Return LB767A to Select File**

Senator Wayne moved to return LB767A to Select File for the following specific amendment:

[FA110](#)

Strike section 1.

Senator Wayne withdrew his motion to return.

The Wayne amendment, FA110, was not considered.

#### **BILLS ON FINAL READING**

The following bills were read and put upon final passage:

#### **LEGISLATIVE BILL 767A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 767, One Hundred Seventh Legislature, Second Session, 2022.

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, 48:

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

Voting in the negative, 0.

Excused and not voting, 1:

Hunt

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

**LEGISLATIVE BILL 1099.** With Emergency Clause.

A BILL FOR AN ACT relating to economic development; to create the Nebraska Hydrogen Hub Industry Work Group; to provide duties for the Department of Economic Development; 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, 47:

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



Voting in the negative, 0.

Present and not voting, 2:

Hunt            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.

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

**LEGISLATIVE BILL 519.** Placed on Select File with amendment.  
[ER138](#) is available in the Bill Room.

**LEGISLATIVE BILL 598.** Placed on Select File with amendment.  
[ER136](#)

1 1. Strike the original sections and all amendments thereto and  
2 insert the following new sections:  
3 Section 1. Sections 1 to 5 of this act shall be known and may be  
4 cited as the Small Business Stabilization Grant Program Act.  
5 Sec. 2. The purpose of the Small Business Stabilization Grant  
6 Program Act is to provide grant funds to eligible businesses that are  
7 experiencing a significant loss of revenue as a result of a qualifying  
8 event.  
9 Sec. 3. For purposes of the Small Business Stabilization Grant  
10 Program Act:  
11 (1) Department means the Department of Economic Development;  
12 (2) Eligible business means a for-profit business that:  
13 (a) Is located in this state; and  
14 (b) Had no more than one million dollars of gross revenue in the  
15 most recently completed calendar year; and  
16 (3) Qualifying event means any natural disaster, pandemic, or other  
17 event for which a state of emergency proclamation is issued by the  
18 Governor pursuant to section 81-829.40.  
19 Sec. 4. (1) If a qualifying event occurs, the department shall  
20 establish a grant program to provide financial assistance to eligible  
21 businesses that have experienced a significant loss of revenue as a  
22 result of such qualifying event. An eligible business shall be considered  
23 to have experienced a significant loss of revenue if its gross revenue  
24 over a period of one month or more has declined by at least fifty percent  
25 from the amount of gross revenue received over the same period in the  
26 prior year.  
27 (2) Whenever such a grant program is established, an eligible  
1 business may submit an application to the department with sufficient  
2 documentation to show the loss of revenue required under subsection (1)  
3 of this section.  
4 (3) If the applicant is an eligible business and meets the  
5 requirements of subsection (1) of this section, the department shall  
6 approve the application and shall notify the applicant of such approval.  
7 (4) The department shall consider applications in the order in which  
8 they are received and may approve applications within the limits of  
9 available appropriations.  
10 (5) Each grant approved under this section shall be no more than  
11 twelve thousand dollars.  
12 Sec. 5. The department may adopt and promulgate rules and

13 regulations to carry out the Small Business Stabilization Grant Program  
14 Act.

15 Sec. 6. Since an emergency exists, this act takes effect when  
16 passed and approved according to law.

**LEGISLATIVE BILL 1023.** Placed on Select File with amendment.

[ER139](#)

1 1. On page 1, strike beginning with "water" in line 1 through line 3  
2 and insert "state government; to amend section 50-802, Reissue Revised  
3 Statutes of Nebraska; to adopt the Jobs and Economic Development  
4 Initiative Act and the Water Recreation Enhancement Act; to change  
5 provisions relating to the Statewide Tourism And Recreational Water  
6 Access and Resource Sustainability Special Committee of the Legislature;  
7 to repeal the original section; and to declare an emergency."

**LEGISLATIVE BILL 1015.** Placed on Select File.

**LEGISLATIVE BILL 1073.** Placed on Select File with amendment.

[ER137](#)

1 1. On page 1, strike beginning with "amend" in line 1 through line  
2 14 and insert "require the Governor to apply for emergency rental  
3 assistance under the federal American Rescue Plan Act of 2021; and to  
4 declare an emergency."

(Signed) Terrell McKinney, Chairperson

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

Senator M. Cavanaugh filed the following amendment to LB29:

[FA105](#)

On page 2, line 8 strike "may" and replace with "shall"

Senator M. Cavanaugh filed the following amendment to LB855:

[FA106](#)

On page 2, line 23 insert "(FQHC)" after "services"

Senator M. Cavanaugh filed the following amendment to LB905:

[FA107](#)

On page 1, line 14 strike "means" and replace with "is defined as"

Senator M. Cavanaugh filed the following amendment to LB1082:

[FA108](#)

On page 2, line 5 after "Services" insert "(DHHS)"

Senator M. Cavanaugh filed the following amendment to LB1137:

[FA109](#)

On page 2, line 10 strike "means" and replace with "is defined as"

Senator McKinney filed the following amendment to LB927:

[AM2242](#)

(Amendments to Standing Committee amendments, AM2023)

1 1. On page 4, strike beginning with "to" in line 22 through line 26,  
2 show as stricken, and insert ". Fifty-five percent of such funds shall be

3 used to showcase important historical aspects of such areas or areas  
 4 within close geographic proximity of the area with a high concentration  
 5 of poverty and to assist with the reduction of street and gang violence  
 6 in such areas. Forty-five percent of such funds shall be used to assist  
 7 with small business and entrepreneurship growth in such areas."  
 8 2. On page 5, line 24, after the period insert "Applications may be  
 9 submitted to either of the committee members described in subdivisions  
 10 (3)(c)(i) and (ii) of this section."  
 11 3. On page 6, after line 13 insert the following new subdivisions:  
 12 "(e) For any committee formed under subdivision (3)(b) of this  
 13 section:  
 14 (i) The two committee members described in subdivisions (3)(c)(i)  
 15 and (ii) of this section shall share joint responsibility of all  
 16 committee operations and meetings. Applications for funding may be  
 17 submitted to either of such members; and  
 18 (ii) All applications, reports, and other records of the committee  
 19 shall be accessible to any member of the committee.  
 20 (f) Each recipient of funding from a committee formed under  
 21 subdivision (3)(b) of this section shall submit an itemized report to  
 22 such committee on the use of such funds. A recipient shall not be  
 23 eligible to receive funding for more than three consecutive years unless  
 24 such recipient is able to justify continued funding based on the  
 25 following criteria:  
 26 (i) The number of people served by the project;  
 1 (ii) The relevance and scale of the project;  
 2 (iii) The desirability of the social or environmental outcomes of  
 3 the project and how such outcomes will be achievable and measurable;  
 4 (iv) The economic impact on the area with a high concentration of  
 5 poverty; and  
 6 (v) The recipient's sustainability plan."; in line 14 strike "(e)",  
 7 show as stricken, and insert "(g)"; and in line 23 strike "(f)", show as  
 8 stricken, and insert "(h)".

Senator M. Cavanaugh filed the following amendment to LB742:

[FA111](#)

Page 2 line 15, strike "a newspaper" and insert "newspapers"

Senator M. Cavanaugh filed the following amendment to LB983:

[FA112](#)

Page 2 line 13, strike "store" and replace with "storage of"

## GENERAL FILE

**LEGISLATIVE BILL 809.** Title read. Considered.

Committee [AM2004](#), found on page 631, was offered.

## SENATOR FLOOD PRESIDING

Committee [AM2004](#), was adopted with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 809A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 13 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 800.** Title read. Considered.

### **SPEAKER HILGERS PRESIDING**

Committee [AM2035](#), found on page 697, was adopted with 34 ayes, 1 nay, 11 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 1 nay, 10 present and not voting, and 3 excused and not voting.

### **SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 767, 767A, and 1099e.

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

Senator Williams filed the following amendment to [LB1069](#):

#### [AM2299](#)

- 1 1. On page 4, strike beginning with "Grants" in line 9 through
- 2 "application" in line 11, show the old matter as stricken, and insert "An
- 3 applicant shall provide matching funds of at least one-half of the amount
- 4 of workforce housing grant funds awarded".
- 5 2. On page 5, line 31, strike "Affordable", show as stricken, and
- 6 insert "General".
- 7 3. On page 6, line 1, strike "Housing Trust" and show as stricken;
- 8 and in line 10, strike "Affordable Housing Trust", show as stricken, and
- 9 insert "General".
- 10 4. On page 7, line 6, strike "credit to the Affordable Housing
- 11 Trust", show as stricken, and insert "transfer to the General".

### **GENERAL FILE**

**LEGISLATIVE BILL 750.** Title read. Considered.

Committee [AM1966](#), found on page 633, was offered.

Senator Friesen asked unanimous consent to withdraw his amendment, [AM2038](#), found on page 635, and replace it with his substitute amendment, [AM2067](#), found on page 666, to the committee amendment. No objections. So ordered.

The Friesen amendment was adopted with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

Senator Geist offered her amendment, [AM1967](#), found on page 646, to the committee amendment.

The Geist amendment was adopted with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

Senator Albrecht offered her amendment, [AM2085](#), found on page 701, to the committee amendment.

The Albrecht amendment was adopted with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

Senator Erdman offered his amendment, [AM2294](#), found on page 803, to the committee amendment.

The Erdman amendment was adopted with 36 ayes, 0 nays, 11 present and not voting, and 2 excused and not voting.

The committee amendment, as amended, was adopted with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 344.** Title read. Considered.

Committee [AM83](#), found on page 466, First Session, 2021, was offered.

Senator Friesen offered his amendment, [AM1880](#), found on page 593, to the committee amendment.

Senator Kolterman offered the following motion:

[MO156](#)

Recommit to Transportation and Telecommunications Committee.

**SENATOR HUGHES PRESIDING**

Senator Kolterman withdrew his motion to recommit to committee.

The Friesen amendment was adopted with 41 ayes, 0 nays, 7 present and not voting, and 1 excused and not voting.

The committee amendment, as amended, was adopted with 42 ayes, 0 nays, 6 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 9 present and not voting, and 1 excused and not voting.

**LEGISLATIVE BILL 344A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 12 present and not voting, and 1 excused and not voting.

**LEGISLATIVE BILL 1102.** Title read. Considered.

Committee [AM1893](#), found on page 618, was adopted with 40 ayes, 0 nays, 8 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 8 present and not voting, and 1 excused and not voting.

**LEGISLATIVE BILL 1102A.** Title read. Considered.

Senator Bostelman offered his amendment, [AM2212](#), found on page 765.

The Bostelman amendment was adopted with 36 ayes, 0 nays, 12 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 10 present and not voting, and 1 excused and not voting.

**LEGISLATIVE BILL 927.** Title read. Considered.

Committee [AM2023](#), found on page 635, was offered.

Senator McKinney offered his amendment, [AM2242](#), found in this day's Journal, to the committee amendment.

Pending.

#### **PRESENTED TO THE GOVERNOR**

Presented to the Governor on March 11, 2022, at 1:12 p.m. were the following: LBs 767, 767A, and 1099e.

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

#### **NOTICE OF COMMITTEE HEARING(S)** Transportation and Telecommunications Room 1113 12:00 PM

Tuesday, March 22, 2022  
AM1880 to LB344

(Signed) Curt Friesen, Chairperson

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

Senator M. Cavanaugh filed the following amendment to [LB908](#):  
[FA113](#)  
Page 5 line 11, remove "in" and replace with "within"

Senator M. Cavanaugh filed the following amendment to [LB856](#):

[FA114](#)

Page 2, line 13 insert "The" before "Department"

Senator M. Cavanaugh filed the following amendment to [LB1007](#):

[FA115](#)

Amend AM2099: page 1, line 16 strike "will" and insert "shall"

Senator Clements filed the following amendment to [LB1241](#):

[AM2173](#)

(Amendments to E&R amendments, ER111)

1 1. Insert the following new sections:

2 Sec. 5. Sections 5 to 11 of this act shall be known and may be

3 cited as the Law Enforcement Attraction and Retention Act.

4 Sec. 6. (1) The Legislature finds that:

5 (a) The State of Nebraska and cities and counties in this state have  
6 experienced a dramatic decrease in applications for law enforcement  
7 officer positions;

8 (b) Law enforcement officers in Nebraska are leaving the law  
9 enforcement profession;

10 (c) Law enforcement agencies are not retaining law enforcement  
11 officers at a rate sufficient to ensure public safety;

12 (d) Law enforcement officers are the critical element of public  
13 safety in Nebraska communities; and

14 (e) Maintaining a robust law enforcement workforce is in the best  
15 interests of all Nebraskans.

16 (2) The purpose of the Law Enforcement Attraction and Retention Act  
17 is to provide financial incentives to attract and retain law enforcement  
18 officers.

19 Sec. 7. For purposes of the Law Enforcement Attraction and  
20 Retention Act:

21 (1) Council means the Nebraska Police Standards Advisory Council;  
22 and

23 (2) Law enforcement officer has the same meaning as in section  
24 81-1401.

25 Sec. 8. (1) The council shall accept applications for retention  
26 incentive payments from individual law enforcement officers in Nebraska.

1 (2) To be eligible for a tier 1 retention incentive payment, a law  
2 enforcement officer must complete twelve months of full-time employment  
3 as a law enforcement officer after July 1, 2022. No law enforcement  
4 officer shall receive more than one tier 1 retention incentive payment.

5 (3) To be eligible for a tier 2 retention incentive payment, a law  
6 enforcement officer must complete three years of full-time employment as  
7 a law enforcement officer after July 1, 2022. No law enforcement officer  
8 shall receive more than one tier 2 retention incentive payment.

9 (4) To be eligible for a tier 3 retention incentive payment, a law  
10 enforcement officer must complete five years of full-time employment as a  
11 law enforcement officer after July 1, 2022. No law enforcement officer  
12 shall receive more than one tier 3 retention incentive payment.

13 (5) Full-time law enforcement officers employed by a law enforcement  
14 agency that employs more than seventy-five full-time law enforcement  
15 officers shall only be eligible for a tier 1 retention incentive payment,  
16 and such payment shall be seven hundred fifty dollars.

17 (6) For full-time law enforcement officers employed by a law  
18 enforcement agency that employs seventy-five or fewer full-time law  
19 enforcement officers:

20 (a) The tier 1 retention incentive payment shall be one thousand

21 five hundred dollars;  
 22 (b) The tier 2 retention incentive payment shall be two thousand  
 23 five hundred dollars; and  
 24 (c) The tier 3 retention incentive payment shall be three thousand  
 25 dollars.  
 26 Sec. 9. (1) The council shall accept applications for grants from  
 27 law enforcement agencies in Nebraska. The grants shall be used to provide  
 28 hiring bonuses to newly hired full-time law enforcement officers.  
 29 (2) A law enforcement agency shall be eligible for a grant under  
 30 this section if:  
 31 (a) The law enforcement agency employs fewer than one hundred fifty  
 1 full-time law enforcement officers; and  
 2 (b) The law enforcement agency is not at the recommended level of  
 3 staffing under standards set by the council.  
 4 Sec. 10. The council may adopt and promulgate rules and regulations  
 5 to carry out the Law Enforcement Attraction and Retention Act.  
 6 Sec. 11. The Law Enforcement Attraction and Retention Act terminates  
 7 on June 30, 2028.  
 8 Sec. 12. Sections 5, 6, 7, 8, 9, 10, and 11 of this act become  
 9 operative on July 1, 2022. The other sections of this act become  
 10 operative on their effective date.  
 11 2. Renumber the remaining sections accordingly.

Senator Arch filed the following amendment to [LB752](#):  
[AM2302](#)

(Amendments to E & R amendments, ER131)

1 1. Insert the following new sections:  
 2 Sec. 7. Section 38-131, Revised Statutes Cumulative Supplement,  
 3 2020, is amended to read:  
 4 38-131 (1) An applicant for an initial license to practice as a  
 5 registered nurse, a licensed practical nurse, a physical therapist, a  
 6 physical therapy assistant, a psychologist, an advanced emergency medical  
 7 technician, an emergency medical technician, an audiologist, a speech-  
 8 language pathologist, a licensed independent mental health practitioner,  
 9 an occupational therapist, an occupational therapy assistant, or a  
 10 paramedic or to practice a profession which is authorized to prescribe  
 11 controlled substances shall be subject to a criminal background check. A  
 12 criminal background check may also be required for initial licensure or  
 13 reinstatement of a license governed by the Uniform Credentialing Act if a  
 14 criminal background check is required by an interstate licensure compact.  
 15 Except as provided in subsection (3) of this section, the applicant shall  
 16 submit with the application a full set of fingerprints which shall be  
 17 forwarded to the Nebraska State Patrol to be submitted to the Federal  
 18 Bureau of Investigation for a national criminal history record  
 19 information check. The applicant shall authorize release of the results  
 20 of the national criminal history record information check to the  
 21 department. The applicant shall pay the actual cost of the fingerprinting  
 22 and criminal background check.  
 23 (2) This section shall not apply to a dentist who is an applicant  
 24 for a dental locum tenens under section 38-1122, to a physician or  
 25 osteopathic physician who is an applicant for a physician locum tenens  
 26 under section 38-2036, or to a veterinarian who is an applicant for a  
 1 veterinarian locum tenens under section 38-3335.  
 2 (3) An applicant for a temporary educational permit as defined in  
 3 section 38-2019 shall have ninety days from the issuance of the permit to  
 4 comply with subsection (1) of this section and shall have his or her  
 5 permit suspended after such ninety-day period if the criminal background  
 6 check is not complete or revoked if the criminal background check reveals  
 7 that the applicant was not qualified for the permit.  
 8 Sec. 10. Section 38-2101, Reissue Revised Statutes of Nebraska, is



9 amended to read:

10 38-2101 Sections 38-2101 to 38-2139 and section 16 of this act shall  
 11 be known and may be cited as the Mental Health Practice Act.  
 12 Sec. 16. The only persons credentialed pursuant to the Mental Health  
 13 Practice Act that are eligible to be licensed professional counselors  
 14 under the Licensed Professional Counselors Interstate Compact are  
 15 licensed independent mental health practitioners with a certification in  
 16 professional counseling.  
 17 2. On page 33, line 22, after the second comma insert "G".  
 18 3. On page 35, line 17, strike "license" and insert "Licensee"; and  
 19 in line 29 strike "Member States" and insert "Home State".  
 20 4. On page 37, line 10, after "state" insert "or through the process  
 21 described in Article 5".  
 22 5. Renumber the remaining sections, correct internal references, and  
 23 correct the repealer accordingly.

Senator Hilkemann filed the following amendment to [LB981](#):  
[AM2134](#)

(Amendments to Standing Committee amendments, AM1993)

1 1. Insert the following new section:  
 2 Sec. 2. There is hereby appropriated \$1,000,000 from the General  
 3 Fund for FY2022-23 to the Game and Parks Commission, for Program 550.  
 4 There is included in the appropriation to this program for FY2022-23  
 5 \$1,000,000 for purposes of providing a twenty percent match for a grant  
 6 as required under the federal Rebuilding American Infrastructure with  
 7 Sustainability and Equity discretionary grant program, which shall only  
 8 be used for such purpose.  
 9 The Game and Parks Commission shall coordinate with the Department  
 10 of Transportation to apply for a five-million-dollar federal Rebuilding  
 11 American Infrastructure with Sustainability and Equity discretionary  
 12 grant for the completion of a statewide, long-range study for the  
 13 development and improvement of Nebraska's trail network.  
 14 Total expenditures for permanent and temporary salaries and per  
 15 diems from funds appropriated in this section shall not exceed \$55,825  
 16 for FY2022-23.

### VISITOR(S)

Visitors to the Chamber were Senator Williams' niece Sally and great-niece Cella Guthmiller and her friend Emma Charvat; fourth-grade students and their teacher from Oakdale School; and fourth-grade students from Avery Elementary School, Bellevue.

The Doctor of the Day was Dr. Pat Hotovy of York.

### ADJOURNMENT

At 2:59 p.m., on a motion by Senator Lathrop, the Legislature adjourned until 10:00 a.m., Monday, March 14, 2022.

Patrick J. O'Donnell  
 Clerk of the Legislature

