

**FIFTH DAY - JANUARY 11, 2022****LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE  
SECOND SESSION****FIFTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, January 11, 2022

**PRAYER**

The prayer was offered by Pastor Noah Tyler, Westmark Evangelical Free Church, Loomis.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Gragert.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Blood and Brewer who were excused; and Senators Briese, DeBoer, M. Hansen, McCollister, and Walz who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fourth day was approved.

**GENERAL FILE**

**LEGISLATIVE BILL 310.** Committee [AM635](#), found on page 640, First Session, 2021, and considered on page 273, was renewed.

Senator Albrecht renewed her amendment, [AM1511](#), found on page 179 and considered on page 273, to the committee amendment.

Pending.

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 957.** Introduced by Flood, 19.

A BILL FOR AN ACT relating to the Insurers Investment Act; to amend sections 44-5103, 44-5105, 44-5120, 44-5120.01, 44-5132, 44-5137, 44-5139, 44-5141, 44-5143, 44-5144, 44-5149, and 44-5153, Reissue Revised Statutes of Nebraska; to provide, change, and eliminate definitions; to change provisions relating to investments; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 958.** Introduced by Groene, 42; Hansen, B., 16.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-483 and 60-1509, Reissue Revised Statutes of Nebraska; to change the distribution of fee revenue; to require a report; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 959.** Introduced by McCollister, 20.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services; and to declare an emergency.

**LEGISLATIVE BILL 960.** Introduced by Vargas, 7; McKinney, 11.

A BILL FOR AN ACT relating to teachers and administrators; to amend section 79-809, Reissue Revised Statutes of Nebraska, sections 79-807 and 79-808, Revised Statutes Cumulative Supplement, 2020, and section 79-8,145, Revised Statutes Supplement, 2021; to remove basic skill and content test requirements; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 961.** Introduced by Vargas, 7; McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the University of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 962.** Introduced by Vargas, 7; McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the University of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 963.** Introduced by Murman, 38; Aguilar, 35; Flood, 19; Geist, 25; Gragert, 40; Halloran, 33; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to health care; to adopt the Medical Ethics

and Diversity Act; and to provide severability.

**LEGISLATIVE BILL 964.** Introduced by Bostar, 29; Brewer, 43.

A BILL FOR AN ACT relating to the Nebraska State Patrol; to amend section 81-1174, Revised Statutes Cumulative Supplement, 2020; to provide for reimbursement for per diem expenses and for actual meal expenses as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 965.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to holidays; to amend sections 25-2221 and 62-301, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to holidays; and to repeal the original sections.

**LEGISLATIVE BILL 966.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to insurance; to adopt the Discretionary Clause Prohibition Act; and to provide severability.

**LEGISLATIVE BILL 967.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend sections 48-163, 48-174, and 48-177, Reissue Revised Statutes of Nebraska; to change provisions relating to rules and regulations and service; to allow hearings and trials under the act to be conducted telephonically or by videoconferencing; and to repeal the original sections.

**LEGISLATIVE BILL 968.** Introduced by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Economic Development; and to declare an emergency.

**LEGISLATIVE BILL 969.** Introduced by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Environment and Energy.

**NOTICE OF COMMITTEE HEARING(S)**

Natural Resources  
Room 1525 1:30 PM

Wednesday, January 19, 2022

LB804

LB809

LB746

LB775

(Signed) Bruce Bostelman, Chairperson

Education  
Room 1525 1:30 PM

Tuesday, January 18, 2022  
LB890

(Signed) Lynne Walz, Chairperson

### RECESS

At 11:57 a.m., on a motion by Senator Pahls, the Legislature recessed until 1:30 p.m.

### AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Foley presiding.

### ROLL CALL

The roll was called and all members were present except Senators Blood and Brewer who were excused; and Senators Groene, Hilkemann, Morfeld, Pansing Brooks, Slama, Stinner, Wayne, and Wishart who were excused until they arrive.

### REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LB828	Judiciary
LB873	Revenue
LB907	Judiciary
LB908	Government, Military and Veterans Affairs
LB909	Judiciary
LB910	Government, Military and Veterans Affairs
LB911	Transportation and Telecommunications
LB912	Education
LB913	Transportation and Telecommunications
LB914	Transportation and Telecommunications
LB915	Urban Affairs
LB916	Transportation and Telecommunications
LB917	Revenue
LB918	Judiciary
LB919	Revenue
LB920	Judiciary
LB921	Judiciary
LB922	Judiciary

LB923 General Affairs  
LB924 Natural Resources  
LB925 Natural Resources  
LB926 Revenue  
LB927 Revenue  
LB928 Government, Military and Veterans Affairs  
LB929 Health and Human Services  
LB930 Government, Military and Veterans Affairs  
LB931 Business and Labor  
LB932 Health and Human Services  
LB933 Judiciary  
LB934 Transportation and Telecommunications  
LB935 Business and Labor  
LB936 Revenue  
LB937 Appropriations  
LB938 Revenue  
LB939 Revenue  
LB940 Appropriations  
LB941 Revenue  
LB942 Judiciary  
LB943 Banking, Commerce and Insurance  
LB944 Revenue  
LB945 Education  
LB946 Judiciary  
LB947 Judiciary  
LB948 Banking, Commerce and Insurance  
LB949 Revenue  
LB950 Appropriations  
LB951 Revenue  
LB952 Judiciary  
LB953 Judiciary  
LB954 Health and Human Services  
LB955 Banking, Commerce and Insurance  
LB956 Health and Human Services  
LR272CA Revenue

(Signed) Dan Hughes, Chairperson  
Executive Board

**NOTICE OF COMMITTEE HEARING(S)**

Banking, Commerce and Insurance  
Room 1507 1:30 PM

Tuesday, January 18, 2022

LB707  
LB863  
LB728

(Signed) Matt Williams, Chairperson

**BILL ON FIRST READING**

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

**LEGISLATIVE BILL 970.** Introduced by Halloran, 33.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Agriculture; and to declare an emergency.

**GENERAL FILE**

**LEGISLATIVE BILL 310.** The Albrecht amendment, [AM1511](#), found on page 179 and considered on page 273 and in this day's Journal, to the committee amendment, was renewed.

Senator Albrecht withdrew her amendment.

Senator Dorn withdrew his amendment, [AM1551](#), found on page 275.

Committee [AM635](#), found on page 640, First Session, 2021, and considered on page 273 and in this day's Journal, was renewed.

Senator Linehan moved for a call of the house. The motion prevailed with 25 ayes, 2 nays, and 22 not voting.

Senator Linehan requested a roll call vote on the committee amendment.

Voting in the affirmative, 40:

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

Voting in the negative, 4:

Dorn	Erdman	Hunt	McKinney
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Present and not voting, 2:

Cavanaugh, M. Halloran

Excused and not voting, 3:

Blood Brewer Hansen, M.

The committee amendment was adopted with 40 ayes, 4 nays, 2 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

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

Advanced to Enrollment and Review Initial with 41 ayes, 4 nays, 1 present and not voting, and 3 excused and not voting.

#### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 971.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 71-3701, 71-3702, 71-3704, 71-3705, and 71-3706, Revised Statutes Cumulative Supplement, 2020; to change the name of the Brain Injury Trust Fund Act to the Brain Injury Assistance Act; to change provisions relating to the Brain Injury Trust Fund and to change the name of the Brain Injury Trust Fund to the Brain Injury Assistance Program; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 972.** Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to property taxes; to amend section 77-1344, Revised Statutes Supplement, 2021; to change provisions relating to agricultural or horticultural land receiving special valuation; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 973.** Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to the Nebraska Investment Finance Authority Act; to amend sections 58-210.02, 58-219, 58-220, 58-221, 58-222, 58-239, and 58-251, Reissue Revised Statutes of Nebraska; to redefine terms; to change provisions relating to the powers of the Nebraska Investment Finance Authority; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 974.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to transit authorities; to amend section 14-1810, Reissue Revised Statutes of Nebraska, and section 18-819, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to an assessment and taxation exception under the Transit Authority Law and Regional Metropolitan Transit Authority Act; and to repeal the

original sections.

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

Senator Hunt filed the following motion to LB835:

MO117

Withdraw LB835.

**GENERAL FILE**

**LEGISLATIVE BILL 364.** Title read. Considered.

Committee AM762, found on page 766 and considered on page 1175, First Session, 2021, was renewed.

Senator Hunt renewed her amendment, AM1051, found on page 1080 and considered on page 1175, First Session, 2021, to the committee amendment.

Senator M. Cavanaugh renewed her motion, MO52, found on page 1175 and considered on pages 1177 and 1179, First Session, 2021, to recommit to the Revenue Committee.

**SPEAKER HILGERS PRESIDING**

Senator M. Cavanaugh withdrew her motion to recommit to committee.

Pending.

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 975.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to state agencies; to provide a requirement for state officials or state employees who testify at a public hearing before the Legislature.

**LEGISLATIVE BILL 976.** Introduced by Wishart, 27.

A BILL FOR AN ACT relating to the Nebraska Behavioral Health Services Act; to amend section 71-801, Revised Statutes Cumulative Supplement, 2020; to adopt the Certified Community Behavioral Health Clinic Act; to harmonize provisions; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 977.** Introduced by Slama, 1.

A BILL FOR AN ACT relating to appropriations; to appropriate federal



funds to the Department of Economic Development; and to declare an emergency.

**LEGISLATIVE BILL 978.** Introduced by Hughes, 44.

A BILL FOR AN ACT relating to the Environmental Protection Act; to amend sections 81-1508.01 and 81-1511, Reissue Revised Statutes of Nebraska, and sections 81-1502, 81-1504, 81-1505, and 81-1532, Revised Statutes Cumulative Supplement, 2020; to define a term; to provide for powers and duties relating to the treatment of dredged and fill material; to establish a fund; to provide a penalty; to harmonize provisions; and to repeal the original sections.

**NOTICE OF COMMITTEE HEARING(S)**  
Transportation and Telecommunications  
Room 1113 1:30 PM

Tuesday, January 18, 2022

LB714  
LB720  
LB749  
LB750  
LB757

(Signed) Curt Friesen, Chairperson

Education  
Room 1525 1:30 PM

Tuesday, January 18, 2022  
LB890 (cancel)

Tuesday, January 18, 2022  
LB758  
LB754  
LB838

Tuesday, January 25, 2022  
LB890

(Signed) Lynne Walz, Chairperson

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

Senator Wayne filed the following amendment to LB364:  
[AM1557](#)

(Amendments to Standing Committee amendments, AM762)

- 1 1. Strike section 24.
- 2 2. On page 2, lines 12 and 28, strike "2021" and insert "2022".
- 3 3. On page 8, insert the following new subsection after line 29:

4 "(5) The credits allowed under the act may be earned for taxable  
5 years beginning or deemed to begin on or after January 1, 2023, and  
6 before January 1, 2033."

7 4. On page 11, line 5, strike "2022" and insert "2023" and strike  
8 "2027" and insert "2028".

9 5. On page 13, line 10, strike "2022" and insert "2023"; and in line  
10 11 strike "2027" and insert "2028".

11 6. Renumber the remaining sections accordingly.

Senator Hunt filed the following amendment to LB781:

AM1528

1 1. On page 2, after line 13, insert the following new subdivision:

2 "(4) Qualified practitioner means a physician, including an  
3 osteopathic physician, an advanced practice registered nurse, a certified  
4 nurse midwife, or a physician assistant licensed to practice in this  
5 state as provided in the Uniform Credentialing Act."; in line 15 strike  
6 "(4)" and insert "(5)"; and in lines 16 and 19 strike "physician" and  
7 insert "qualified practitioner".

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

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

Senator Briese name added to LB508.

Senator Brandt name added to LB508.

Senator Moser name added to LB933.

Senator Dorn name added to LB942.

### **VISITOR(S)**

The Doctor of the Day was Dr. Dave Hoelting of Pender.

### **ADJOURNMENT**

At 4:54 p.m., on a motion by Senator Walz, the Legislature adjourned until 9:00 a.m., Wednesday, January 12, 2022.

Patrick J. O'Donnell  
Clerk of the Legislature