

FIFTIETH DAY - MARCH 29, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****FIFTIETH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 29, 2022

PRAYER

The prayer was offered by Senator DeBoer.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Jacobson.

ROLL CALL

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

The roll was called and all members were present except Senators Geist and Pahls who were excused; and Senators Bostar, Day, B. Hansen, M. Hansen, Hilkemann, Lindstrom, Morfeld, Slama, Vargas, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-ninth day was approved.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 394. Introduced by Cavanaugh, J., 9.

PURPOSE: The purpose of this resolution is to propose an interim study to examine and analyze potential changes to Nebraska's net metering policy to facilitate the increased utilization of solar energy to power Nebraska livestock production facilities. The study shall include, but not be limited to, an examination of the following:

(1) Whether the current twenty-five kilowatts cap on rated capacity for a qualified facility should be increased for livestock production facilities;

(2) Whether livestock production facilities should be exempt from the current cap on the total generating capacity of all customer-generators using net metering served by a local distribution utility;

(3) Whether the rated capacity of a livestock production facility should be measured in alternating current; and

(4) Any other issues related to the purpose of the study.

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

1. That the Natural Resources 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 395. Introduced by Cavanaugh, J., 9.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the judicial inefficiency and increased costs to the state arising from Nebraska's four separate statutory based mechanisms for postconviction relief. The study shall include, but need not be limited to, an examination of:

(1) Nebraska's statutory mechanisms for postconviction relief, including a new trial in section 29-2101, postconviction relief in section 29-3001, habeas corpus in section 29-2801, and the DNA Testing Act;

(2) How Nebraska's splintered postconviction structure wastes judicial resources, adds burdens to prosecutors, and increases costs to the state when it prevents innocent petitioners from presenting the full scope of their claims at one time in front of one court;

(3) The gateway standard for innocence adopted by the federal court system and other state jurisdictions, including South Dakota, Montana, Missouri, and North Carolina under the United States Supreme Court decision in *Schlup v. Delo*, 513 U.S. 298 (1995). The gateway standard is a narrow exception provided to defendants who can prove their innocence in order to overcome a procedural default that otherwise prevents a challenge to the conviction. Such exception is not currently applicable under Nebraska's postconviction mechanisms;

(4) Claims of actual innocence, even absent an independent constitutional violation, if a person establishes by clear and convincing evidence that no reasonable fact finder would have found such person guilty of the underlying offense; and

(5) Whether Nebraska should join other states by adopting a rule that necessitates ineffective assistance of counsel claims involving issues of trial strategy be brought for the first time at the postconviction phase in order to protect defendants, prevent injustice, and preserve judicial resources.

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

1. That the Judiciary 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 396. Introduced by Cavanaugh, J., 9; Brandt, 32; Dorn, 30; McKinney, 11; Slama, 1; Wayne, 13.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the funding needs of the Commission on Public Advocacy and to find a long-term funding solution. The study may include, but is not limited to:

- (1) Reviewing existing statutes that direct funding to the Commission on Public Advocacy;
- (2) Examining the trends in Nebraska case filings over the last fifteen years and the impact that such trends have on the Commission on Public Advocacy;
- (3) Reviewing other possible funding mechanisms in addition to filing fees for the Commission on Public Advocacy, including the state General Fund or other cash funds;
- (4) Determining whether the Commission on Public Advocacy could take on additional cases with additional funding; and
- (5) Examining the amount of property tax relief that the Commission on Public Advocacy has provided through its legal services.

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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 397. Introduced by McDonnell, 5.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the needs, workforce, and funding streams for mental health care across Nebraska. In order to fulfill the purpose of this resolution, the committee shall make recommendations for improving access to and ensuring financial stability for mental health care.

The study shall include, but not be limited to, an examination of:

- (1) National and best practices related to providing access to and funding for mental health care;
- (2) The impact of COVID-19 on the mental health of Nebraskans;
- (3) The state's current financing mechanisms for mental health care;
- (4) Disparities that exist in access to mental health care in Nebraska; and
- (5) Potential ongoing funding streams for mental health care and the overall cost to fill any gaps in access to mental health care in Nebraska.

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

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purpose 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 398. Introduced by McDonnell, 5.

PURPOSE: The purpose of this resolution is to propose an interim study to examine issues related to the funding of emergency communications in Nebraska. This study shall include, but not be limited to, an examination of the following:

- (1) The historical decline in revenue from landline service fees that support public safety answering points and the impact of the decline on delivering 911 operations;
- (2) Alternative sources of funding for public safety answering points that do not rely on local property taxes;
- (3) Technology upgrades that could reduce operational costs; and
- (4) Potential new revenue streams for emergency medical services from next generation 911 technologies, such as telehealth, nurse or mental health triage services, or other nonemergency alternatives, for below cost reimbursement from medicare, medicaid, and other government insurers.

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

1. That the Transportation and Telecommunications 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 or Legislature.

Referred to the Executive Board.

WITHDRAW - Amendments to LB1012

Senator Arch withdrew his amendment, [AM2389](#), found on page 884, to LB1012.

Senator Aguilar withdrew his amendment, [AM2425](#), found on page 895, to LB1012.

Senator Morfeld withdrew his amendment, [AM2541](#), found on page 935, to LB1012.

Senator McDonnell withdrew his amendment, [AM2510](#), found on page 977, to LB1012.

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 LB1012 with 33 ayes, 4 nays, 1 present and not voting, and 11 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1012. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to amend sections 81-1210.02 and 81-12,145, Reissue Revised Statutes of Nebraska, sections 75-1101, 81-829.33, 81-1210.01, 81-1210.04, 81-12,153, 81-12,154, 81-12,156, 81-12,162, and 83-904, Revised Statutes Cumulative Supplement, 2020, and sections 71-7611, 81-12,147, 81-12,148, 81-12,149, 81-12,213, 81-12,218, 82-331, 83-973, 85-424, and 86-324, Revised Statutes Supplement, 2021; to provide for and change fund transfer provisions; to create and change permitted uses of funds; to provide for and change grant provisions; to change provisions relating to internship programs, capital construction, the Business Innovation Act, and the Nebraska Rural Projects Act; to eliminate provisions regarding state agency postage reimbursement and obsolete provisions regarding fund transfers; to harmonize provisions; to repeal the original sections; to outright repeal section 81-167, Reissue Revised Statutes of Nebraska; 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, 34:

Aguilar	Cavanaugh, M.	Hilgers	McCollister	Sanders
Arch	Clements	Hilkemann	McDonnell	Stinner
Blood	DeBoer	Hughes	McKinney	Vargas
Bostelman	Dorn	Hunt	Morfeld	Walz
Brandt	Erdman	Jacobson	Moser	Williams
Brewer	Flood	Kolterman	Murman	Wishart
Cavanaugh, J.	Gragert	Lathrop	Pansing Brooks	

Voting in the negative, 6:

Albrecht	Friesen	Linehan
Briese	Halloran	Lowe

Excused and not voting, 9:

Bostar	Geist	Hansen, M.	Pahls	Wayne
Day	Hansen, B.	Lindstrom	Slama	

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

MOTION(S) - Bracket LB1011

Senator M. Cavanaugh offered the following motion to LB1011:

[MO189](#)

Bracket until April 20, 2022.

SENATOR WILLIAMS PRESIDING

SENATOR ARCH PRESIDING

Senator Stinner offered the following motion:

[MO190](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Stinner requested a roll call vote, in reverse order, on the motion to invoke cloture.

Voting in the affirmative, 36:

Aguilar	Cavanaugh, M.	Hilgers	McCollister	Vargas
Arch	Clements	Hilkemann	McDonnell	Walz
Blood	Day	Hughes	McKinney	Williams
Bostar	DeBoer	Hunt	Morfeld	Wishart
Bostelman	Dorn	Jacobson	Moser	
Brandt	Erdman	Kolterman	Pansing Brooks	
Brewer	Flood	Lathrop	Sanders	
Cavanaugh, J.	Hansen, M.	Lindstrom	Stinner	

Voting in the negative, 3:

Albrecht Briese Friesen

Present and not voting, 7:

Gragert Hansen, B. Lowe Slama
Halloran Linehan Murman

Excused and not voting, 3:

Geist Pahls Wayne

The Stinner motion to invoke cloture prevailed with 36 ayes, 3 nays, 7 present and not voting, and 3 excused and not voting.

The M. Cavanaugh motion to bracket failed with 1 aye, 43 nays, 2 present and not voting, and 3 excused and not voting.

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 LB1011 with 34 ayes, 6 nays, 6 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1011. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2021, LB380, sections 24, 48, 81, 89, 95, 96, 98, 103, 104, 110, 111, 116, 120, 136, 156, 158, 198, 217, 246, 261, 262, 266, and 267; and Laws 2021, LB383, sections 9, 10, 22, 23, 24, and 37; to define terms; to provide, change, and eliminate appropriations for operation of state government; to repeal the original sections; to outright repeal Laws 2021, LB396A, section 1; 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, 38:

Aguilar	Cavanaugh, M.	Hansen, B.	Lindstrom	Slama
Arch	Clements	Hilgers	McCollister	Stinner
Blood	Day	Hilkemann	McDonnell	Vargas
Bostar	DeBoer	Hughes	McKinney	Walz
Bostelman	Dorn	Hunt	Morfeld	Williams
Brandt	Erdman	Jacobson	Moser	Wishart
Brewer	Flood	Kolterman	Pansing Brooks	
Cavanaugh, J.	Gragert	Lathrop	Sanders	

Voting in the negative, 4:

Albrecht	Briese	Friesen	Halloran
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Present and not voting, 4:

Hansen, M.	Linehan	Lowe	Murman
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Excused and not voting, 3:

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

NOTICE OF COMMITTEE HEARING(S)

General Affairs
Room 1510 12:15 PM

Tuesday, April 5, 2022

Alec Gorynski - Nebraska Arts Council
Amy M. Haddad - Nebraska Arts Council
Clark Roush - Nebraska Arts Council
Ellen L. Hornady - Nebraska Arts Council
Jana Goranson - Nebraska Arts Council
Sarah G. Peetz - Nebraska Arts Council
Walter A. Seiler - Nebraska Arts Council

(Signed) Tom Briese, Chairperson

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 1083. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 399. Introduced by Lathrop, 12.

PURPOSE: The purpose of this resolution is to propose an interim study to review and identify what judicial resources are necessary to expand problem-solving courts across the State of Nebraska.

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

1. That the Judiciary 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 400. Introduced by Brandt, 32; Brewer, 43; Briese, 41; Dorn, 30; Erdman, 47; Friesen, 34; Gragert, 40; Halloran, 33; Hughes, 44; Jacobson, 42; Murman, 38.

PURPOSE: The purpose of this resolution is to propose an interim study to examine current farm economic conditions in Nebraska and how best to aid and support beginning farmers and livestock and dairy producers in this state. The study shall include, but need not be limited to:

- (1) Examining current statutory policies used to support beginning farmers and livestock and dairy producers, the effectiveness of such policies, and potential changes to such policies, including the Beginning Farmer Tax Credit Act;
- (2) Determining the type of supports most beneficial to beginning farmers and livestock and dairy producers;
- (3) Developing recommendations related to supporting beginning farmers and livestock and dairy producers in order to continue to grow the agriculture industry in the state; and
- (4) Examining the Department of Agriculture implementation of the NextGen program.

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

1. That the Agriculture 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 401. Introduced by Friesen, 34; Albrecht, 17; Bostelman, 23; DeBoer, 10; Hughes, 44; Moser, 22.

PURPOSE: The purpose of this resolution is to propose an interim study to review the administration of the Nebraska Broadband Bridge Act. The study shall include, but need not be limited to:

(1) Examining changes made by the Public Service Commission in docket C-5368;

(2) Reviewing the distribution of grants under the Nebraska Broadband Bridge Act with special attention to grants for the second year; and

(3) Considering the need for additional legislation governing the administration of the Nebraska Broadband Bridge Act and the need for legislation to implement the federal Broadband Equity, Access, and Deployment Program and any other federal broadband assistance program.

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

1. That the Transportation and Telecommunications 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 402. Introduced by McCollister, 20.

PURPOSE: The purpose of this resolution is to propose an interim study to assess the ranking criteria and practices of the Nebraska Environmental Trust. The six-member grants committee votes on which projects are eligible for grants with only projects that have at least three of the six members rate the project a perfect score of eleven being eligible for grants.

This year the committee deemed eighty-two of the one hundred eighteen projects eligible for grants, an abnormally low amount. Of those eighty-two, seventy-one projects were granted funding, so the trust only spent around fourteen million dollars out of the approximately twenty million dollars allocated to the trust to spend this year. The funding of only sixty percent of the project applications and expenditure of only sixty-five percent of the funds authorized is unprecedented. The rating of the grants this year also raises a concern as rating scores differed wildly and illogically for projects that had traditionally been funded. One project that had received funding each previous year it had applied was deemed ineligible, with two reviewers rating it an eleven and another rating it a two. The study is intended to assess the rating criteria of the Nebraska Environmental Trust and any other potential factors that might result in such unprecedented changes.

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

1. That the Natural Resources 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 403. Introduced by McKinney, 11.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the use of no-knock warrants in Nebraska and across the nation.

As has been documented, the execution of a no-knock warrant has the capacity to infringe upon a resident's reasonable expectation of privacy and can allow police to enter a dwelling house in the same way as a burglar. The study shall include, but not be limited to, an examination of the following:

- (1) Potential revisions and statutory reforms regarding no-knock warrants;
- (2) How relevant stakeholders are collaborating on addressing the consequences of any errors regarding evidence admitted as a result of no-knock warrants;
- (3) How widespread Fourth Amendment violations may be, including how many Nebraskans are impacted by these issues and relevant demographic information about the populations most impacted;
- (4) Whether additional funding or training or other solutions to address these issues should be implemented; and
- (5) Any and all related issues to protect and defend the right of a reasonable expectation of privacy for Nebraskans.

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

1. That the Judiciary 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 404. Introduced by McKinney, 11.

PURPOSE: The purpose of this resolution is to examine the racial and ethnic disproportionality within Nebraska's child welfare system. Research overwhelmingly demonstrates that children and families of color make up a greater percentage of individuals in the child welfare system as compared to their percentage in the national and state general population, and this is

especially true for Black and Native American children and families. Research also overwhelmingly demonstrates that individuals and families of color make up a greater percentage of individuals that law enforcement officials interact with as compared to their percentage in the national and state general population. In thinking about the various pathways for entry into the child welfare system, law enforcement officers have a role through reporting, referring, or assisting child welfare system workers in investigating families who come into contact with the system.

This study shall examine this disproportionality in Nebraska's child welfare system, and if and how the role of law enforcement on the front-end of the child welfare system contributes to it. This study shall include, but not be limited to:

- (1) Collecting race and ethnicity data regarding:
 - (a) Nebraska's child welfare system population as a whole as well as specific parts within such system compared to the state's general population;
 - (b) Sources of reports or referrals to the child welfare system, including, but not limited to, law enforcement officials; and
 - (c) Length of time in the child welfare system including both alternative response or traditional response child welfare cases;
- (2) An examination of the pathways leading to entry into Nebraska's child welfare system, including the role of law enforcement officials, the scope of law enforcement authority, and relevant statutes and rules and regulations controlling such entry and such role;
- (3) Gathering of community input regarding the racial and ethnic disproportionality in Nebraska's child welfare system and law enforcement's role within it; and
- (4) A determination of potential solutions to reduce the racial and ethnic disproportionality in Nebraska's child welfare system, focusing on the pathways of entry into the child welfare system and law enforcement's role in such entry.

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

1. That the Health and Human Services 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 405. Introduced by Stinner, 48.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the operation of the statewide financial systems by the Accounting Administrator of the accounting division of the Department of Administrative Services and ensure that internal controls are properly implemented.

The accounting division operates and maintains statewide financial systems, preaudits agency transactions, issues the statewide Comprehensive Annual Financial Report and budgetary reports, coordinates the long-term financing needs of the State of Nebraska, and prepares the statewide cost allocation plan. The mission statement of the accounting division is, "To lead State agencies through our customer-oriented management and support of the financial management systems; to be mindful of our responsibility to the taxpayers; and to establish and follow a well-constructed plan to maximize our future endeavors."

The Department of Administrative Services has the duty to fulfill the mission statement of the accounting division and the obligation to conform with generally accepted accounting principles for state and local governments, which are established by the Governmental Accounting Standards Board.

This study shall include, but not be limited to, the following:

- (1) Analysis of the accounting division's financial reports, including the Comprehensive Annual Financial Report and annual budgetary reports;
- (2) Assessment of the Department of Administrative Services compliance with generally accepted accounting principles;
- (3) Review of deficiencies identified by the Auditor of Public Accounts, including significant deficiencies and material weaknesses;
- (4) Review of improvements resulting from corrective actions identified by the Auditor of Public Accounts;
- (5) Review of existing significant deficiencies and material weaknesses still exhibited by the Department of Administrative Services; and
- (6) Recommendations for the improvement of internal controls to fulfill the accounting division's mission statement and comply with generally accepted accounting principles.

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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 406. Introduced by Stinner, 48.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the implementation the office of Chief Information Officer's information technology consolidation initiative to ensure efficient use of Nebraska taxpayer resources.

The office of Chief Information Officer's website states "The Office of the Chief Information Officer was created to assure a coordinated, efficient, and cost-effective approach is taken on an enterprise level for the deployment of

technology by the Nebraska State Government. The Office of the CIO provides a wide range of technology services to state agencies, boards, and commissions, as well as political subdivisions. As the State continues to explore shared services, we have eliminated the duplication of several IT expenditures and services, lowered costs through enterprise purchases and agreements, and provided more efficient and effective ways to expand access to government services."

The office of Chief Information Officer has the duty to fulfill its mission statement and the obligation to ensure its stated purpose of coordinating a cost-effective operation of information technology services to Nebraska state agencies.

This study shall include, but not be limited to, the following:

(1) Analysis of budget programs under the purview of the office of Chief Information Officer, including revolving funds and requests for full-time equivalent employees;

(2) Analysis of agency revenues, including a list of billable services and fees;

(3) Comparison of expenditures to agency revenues;

(4) Review of historical increases in full-time equivalent employees compared with increases in revenue from billable services;

(5) Evidence of improvements resulting from the consolidation initiative;

(6) Existing needs for improvement in the consolidation initiative, where they exist; and

(7) Recommendations for the improvement of implementation of the consolidation initiative.

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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 407. Introduced by Arch, 14; Cavanaugh, M., 6; Day, 49; Murman, 38; Walz, 15; Williams, 36.

PURPOSE: The purpose of this resolution is to propose an interim study to examine how Nebraska is utilizing Temporary Assistance for Needy Families funds. The study shall include, but need not be limited to, gathering information on the utilization, transfer, and availability of Temporary Assistance for Needy Families block grant funds. The study should also include a breakdown of funding utilization categorized by use including, but not limited to, basic assistance, administration, work-related activities, child care, tax credits, pregnancy prevention, and other services as well as specific uses within those categories.

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

1. That the Health and Human Services 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 408. Introduced by McKinney, 11.

PURPOSE: The purpose of this resolution is to propose an interim study to examine ways to grow and diversify Nebraska's health care workforce by engaging communities that are underrepresented in the current health care workforce. The State of Nebraska should focus on developing a health care workforce that reflects the communities in our state.

Health care disparities have long existed for racial and ethnic minority populations resulting in individuals suffering disproportionately from treatable, curable, and preventable diseases. A lack of diversity in the health care workforce could worsen these health disparities.

According to a study from the George Washington University Milken Institute School of Public Health dated March 31, 2021, Black, Hispanic, and Native American individuals are all significantly underrepresented in the health care workforce in the United States.

The State of Nebraska must work with health care providers and health care educators to educate, recruit, retain, and cultivate a diverse health care workforce that mirrors the communities they serve.

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

1. That the Health and Human Services 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 409. Introduced by Arch, 14; Cavanaugh, M., 6; Day, 49; Murman, 38; Walz, 15; Williams, 36.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the Department of Health and Human Services' capacity and resources to treat individuals who have been committed to the department for treatment to restore competency to stand trial. The study should include,

but not be limited to, an examination of the current challenges to increasing availability for such treatment and the Department of Health and Human Services' immediate and long-term plans for capacity in order to provide treatment to such individuals.

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

1. That the Health and Human Services 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 410. Introduced by Arch, 14; Cavanaugh, M., 6; Day, 49; Murman, 38; Walz, 15; Williams, 36.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the long-term fiscal sustainability of the Nebraska Health Care Cash Fund. The Nebraska Health Care Cash Fund was initially created with a fifty million dollar endowment for health care programs using the principal and investment income from the Nebraska Tobacco Settlement Trust Fund and the Nebraska Medicaid Intergovernmental Trust Fund. The purpose of this endowment was to create an ongoing funding mechanism for health care in Nebraska. This study shall include, but not be limited to:

(1) A review of the annual Nebraska Health Care Cash Fund reports provided by the Department of Health and Human Services;

(2) Input from interested parties regarding the funds necessary to continue using the Nebraska Health Care Cash Fund to pay for health care and related services; and

(3) Recommendations as to any statutory or funding changes that the Legislature should make in order to protect the ongoing viability of the Nebraska Health Care Cash Fund.

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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 411. Introduced by Arch, 14; Cavanaugh, M., 6; Day, 49; Murman, 38; Walz, 15; Williams, 36.

PURPOSE: The purpose of this resolution is to propose an interim study to examine any issues within the jurisdiction of the Health and Human Services Committee of the Legislature that may arise during the interim.

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

1. That the Health and Human Services 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 412. Introduced by DeBoer, 10.

PURPOSE: In 1996, Nebraska voters approved an amendment to the Constitution of the State of Nebraska that provided for crime victims to have certain rights. Following the voters' approval of the amendment, the Legislature enacted a number of statutes to provide victims and survivors of criminal offenses with some procedural and substantive protections. These protections include the duty of prosecutors to notify certain victims of charges and plea agreements, the opportunity for victims to provide a statement to a court regarding imposition of sentences, requirements that victims be notified when certain offenders are released from custody, and other provisions.

Prior to the constitutional amendment providing victims with such rights, the Legislature had created the Nebraska Crime Victim's Reparations Act. The act provides for financial compensation to innocent victims and survivors of crimes for certain expenses and monetary losses related to such crimes. Compensation for victims and survivors under the act is funded through the federal Victims of Crime Act of 1984, state General Fund appropriations, and cash funds. Unfortunately, in recent years the funds in the Nebraska Crime Victim's Reparations Act have not been sufficient to provide for adequate compensation to all victims and survivors who seek compensation.

Additionally, the Criminal Justice Reinvestment Working Group which met with various stakeholders in the Nebraska criminal justice system in 2021 and 2022 found various issues with corrections operations and the court system. Among the recommended solutions for the Legislature to consider was a suggestion that state law be amended to provide for a priority of payment of restitution to victims and survivors of crimes.

This study shall examine if existing statutory rights and protections relating to victims and survivors are adequate or whether and how such

rights and protections can be modified and improved so that victims and survivors are adequately and meaningfully protected and empowered.

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

1. That the Judiciary 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 413. Introduced by Dorn, 30.

PURPOSE: The purpose of this resolution is to propose an interim study to evaluate the potential transition to a statewide professional license for heating, ventilation, and air conditioning technicians. These skilled trades provide career opportunities for many Nebraskans, but the technicians must get a separate license for each municipality in which they work often imposing barriers in terms of time and cost. Nebraska has a demand for economic development and housing projects but is facing a shortage of workers in these trades. Therefore, the state could potentially benefit from a more streamlined licensing process.

In order to carry out the purpose of this resolution, the committee should seek the assistance of the State Electrical Division and consider the input of additional interested parties as the committee deems necessary and appropriate. The issues addressed by this study shall include, but not be limited to:

(1) Efforts in other states to establish statewide licensing of heating, ventilation, and air conditioning technicians;

(2) Costs associated with establishing a state-issued license; and

(3) Needs for local or state licensing in light of a robust inspection regime by municipalities.

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

1. That the Urban Affairs 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 414. Introduced by McDonnell, 5.

PURPOSE: The purpose of this resolution is to examine programming, opportunities, and interventions for students attending an alternative school, class, or educational program in Nebraska. This study shall include, but not be limited to, an examination of the following:

- (1) What programming is available for students who have been expelled from their school;
- (2) Program completion rates for students attending an alternative school, class, or educational program;
- (3) The relationship between unverified status, truancy, and expulsions and suspensions for students;
- (4) Whether certain months during the year have an unexpected increase in expulsions; and
- (5) National best practices for students attending an alternative school, class, or educational program.

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

1. That the Education 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 or Legislature.

Referred to the Executive Board.

MOTION(S) - Bracket LB1013

Senator M. Cavanaugh offered the following motion to LB1013:

MO191

Bracket until March 30, 2022.

SPEAKER HILGERS PRESIDING

Pending.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 341, 342, 343, 344, and 345 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 341, 342, 343, 344, and 345.

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 1011 and 1012.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 415. Introduced by Jacobson, 42; Cavanaugh, M., 6; Day, 49; DeBoer, 10; Hilkemann, 4; Kolterman, 24; Stinner, 48; Williams, 36.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the lack of access to quality and affordable health insurance for Nebraska's early childhood workforce and potential solutions to this issue. This study shall include, but not be limited to, a consideration of the following:

- (1) A review of research on the issue of health insurance for the early childhood workforce in all licensed child care settings in Nebraska;
- (2) Efforts being undertaken in other states to broaden access to health insurance for the early childhood workforce; and
- (3) The feasibility and cost of the early childhood workforce entering existing health insurance pools and securing quality health insurance through the health insurance marketplace or private markets.

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

1. That the Health and Human Services 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 416. Introduced by Lindstrom, 18.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the risks and potential adverse economic consequences to the State of Nebraska, and its residents, from the transfer of business interests from one generation to the next.

The continued economic growth and success of the Nebraska economy is dependent on the retention of successful Nebraska small businesses as the baby boomer generation continues to age and retire.

Over the next fifty years, Nebraskans will pass nearly one trillion dollars of economic value to the next generation, with a large proportion attributed to the transfer of small business interests. In fact, more than forty percent of small businesses are owned by baby boomers, which employ more than twenty-five million people in the United States. Notwithstanding, nearly sixty percent of small business owners have failed to develop a succession plan.

The failure to adequately develop a succession plan is likely to disrupt the economic output of otherwise profitable Nebraska small businesses due to:

- (1) Conflicts between stakeholders following the business owner's death;
- (2) Lack of liquidity of business interests to finance retirement;
- (3) Lack of adequate financing mechanisms to facilitate a subsequent sale to employees of or outside investors in the small business; and
- (4) Unanticipated federal tax consequences.

The failure of certain small business owners to adequately develop a succession plan is a threat to the continued growth of the Nebraska economy and overall economic well-being of Nebraska's residents. Following the death of the business owner, such a failure jeopardizes the continued viability of an otherwise profitable Nebraska small business as a going concern. Often times those who inherit Nebraska small businesses decide to liquidate or sell the business, frequently at a discounted value. The sale or liquidation of a Nebraska small business results in the loss of Nebraska jobs and removes economic value from the Nebraska economy.

Presently, the State of Nebraska and its institutions lack appropriate infrastructure to facilitate the sale of Nebraska small businesses to Nebraska residents, creating an obstacle to the development of an adequate succession plan. Due to the lack of such infrastructure, the sale of a small business will more likely be to a nonresident of Nebraska and at a discounted value. Moreover, the sale of a Nebraska business to such a foreign buyer risks the relocation of the business to a competing state with a more favorable tax environment.

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

1. That the Revenue Committee of the Legislature shall be designated to conduct an interim study to carry out the purpose 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 417. Introduced by Hansen, B., 16.

PURPOSE: The purpose of this resolution is to propose an interim study to review the current medicaid reimbursement rates and processes for difficult to place patients in Nebraska's acute care hospitals. The study shall include, but not be limited to:

- (1) Review of inpatient medicaid reimbursement rates, when such rates were last updated, and if such rates accurately reflect acute care hospital costs;
- (2) Review of the conditions surrounding the inability for acute care hospitals and critical access hospitals to discharge patients to skilled nursing facilities or similar long-term care facilities;
- (3) Review of acute care hospital bed capacity being occupied by patients that do not meet the appropriate level of care;

(4) Review of medicaid reimbursement for acute care hospital patients that do not meet the appropriate level of care and are unable to be transferred to a facility with the appropriate level of care;

(5) Review of the utilization of home health care replacing long-term care for patients in acute care hospitals; and

(6) Establishing medicaid reimbursement rates for patients in long-term acute care hospitals.

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

1. That the Health and Human Services 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 418. Introduced by Bostar, 29.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the sales tax system in Nebraska with respect to exemptions provided to various industries in an effort to incentivize business investment and economic growth in the state. The study shall include, but not be limited to, an examination of the following:

(1) The current statutory approach to sales tax exemptions provided to various industries for certain inputs in Nebraska, including those exemptions provided to manufacturing and agriculture;

(2) The current statutory approach to sales tax exemptions provided to various industries for certain inputs in other states, including the sales tax exemptions provided to data centers by neighboring states and the nationwide trends for providing such exemptions to incentivize business investment;

(3) The beneficial economic impacts of data center investments and expansion in Nebraska and in other states nationwide; and

(4) Recommendations to modify the current statutory approach to sales tax exemptions provided to data centers that invest and expand in Nebraska.

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

1. That the Revenue Committee of the Legislature shall be designated to conduct an interim study to carry out the purpose 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 419. Introduced by Bostelman, 23.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the existing federal rule process for nuclear generation license renewal applications. The study may include, but need not be limited to, an examination of the following:

(1) The need to have reliable baseload generation resources that can ensure utilities can meet zero carbon initiatives;

(2) The need to have a predictable process for sustaining existing nuclear generation and implementing a process to approve advanced nuclear generation;

(3) The delays in creating a new rulemaking process for advanced nuclear reactors which were authorized by Congress under the Nuclear Energy Innovation and Modernization Act;

(4) Continued rulemaking delays, reversal of previous license renewal application approvals, and holds on reviews currently in progress; and

(5) Whether the Legislature should send communication to Congress and the Nuclear Regulatory Commission urging the commission to follow through with the existing federal rule process to streamline nuclear generation license renewal applications and work to move forward with the rulemaking process for the approval of advanced nuclear reactors.

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

1. That the Natural Resources 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 420. Introduced by Hansen, B., 16.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the education process and procedures for serving students with special needs. The requirements for special needs programs vary from district to district and addressing student needs for children in all of Nebraska's schools will promote excellence in education. This study may include, but is not limited to:

(1) Evaluating how to best serve students with special needs;

(2) Examining educational opportunities for students with special needs;

(3) Evaluating the benefits of keeping families with children who have special needs together;

(4) Reviewing how each district approaches the relationships between public and private schools in providing education for students with special needs;

(5) Examining the option of offering consistent equitable services in nonpublic schools; and
 (6) Examining special education funding for the state's public schools.

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

1. That the Education 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 421. Introduced by Bostar, 29.

PURPOSE: The purpose of this resolution is to propose an interim study to examine property rights issues. In order to carry out the purpose of this resolution, the committee shall seek the assistance of attorneys with experience in eminent domain.

The right to own property is fundamental to American law. The Fifth Amendment to the United States Constitution provides that private property cannot be taken without due process and that such property can only be taken for a public use with just compensation. Article I, section 3, of the Nebraska Constitution requires due process to take private property and Article I, section 21, requires just compensation for property taken for public use.

Eminent domain is a process by which the government takes property from unwilling property owners and should be used only as a last resort. An easement taken by eminent domain may permanently alter the character of the land and its surroundings, including impacts on natural resources, and may create liabilities which fall on the property owner.

Section 76-710.04 restricts the use of eminent domain for economic development purposes but carves out certain exceptions including exceptions for a pipeline and a transmission line. An easement taken by eminent domain for major infrastructure projects like pipelines may create abandonment, restoration, and reclamation issues. A one-time payment for a permanent easement for a pipeline project that generates income for a private business may not provide just compensation to the property owner as required by the state and federal constitutions.

The use of zoning by local jurisdictions may provide one means of protection for property owners. Limiting easements for property taken for private gain to a term of years or requiring reversion to the property owner upon abandonment may provide other means of protecting property owners.

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

1. That the Judiciary 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 422. Introduced by Wayne, 13.

PURPOSE: The purpose of this resolution is to propose an interim study to examine issues related to the Middle Income Workforce Housing Investment Act. The issues addressed by this study shall include, but not be limited to:

(1) A comparison of the provisions in the Middle Income Workforce Housing Investment Act to similar provisions in the Rural Workforce Housing Investment Act;

(2) A review of past grant awards and recipients under the Middle Income Workforce Housing Investment Act; and

(3) A review of the use of federal dollars under the federal American Rescue Plan Act of 2021 for housing in qualified census tracts, including under the Middle Income Workforce Housing Investment Act.

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

1. That the Urban Affairs 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 423. Introduced by Cavanaugh, J., 9.

PURPOSE: The purpose of this resolution is to propose an interim study to determine whether the current arrangement of court appointment of attorneys is appropriate and whether this arrangement is adequately meeting the needs of providing indigent defense for the counties of Nebraska. Additionally, the study should examine whether counties are fairly assessed the costs of indigent defense costs, particularly in counties in which a public defender office does not exist or for prosecuting complex or high-profile cases, which might lead to increased fees for court appointment of attorneys. The study should also examine whether the current funding mechanism at county expense is the appropriate means to fund indigent defense and whether such costs should be funded by the state General Fund, a shared-cost arrangement with the counties, or some other manner of funding. Finally, the study should assess whether the difference in court-appointed fee rates and the process for providing indigent defense ensures that indigent defendants are receiving adequate representation in criminal

and juvenile cases. In order to carry out the purpose of this resolution, the committee shall obtain input from the public and impacted individuals relating to the subject matter of this resolution.

The Nebraska statutes require that counties are responsible for the costs of providing representation to indigent people charged with criminal offenses. Larger counties in Nebraska have created public defender offices to maintain regular and robust representation of indigent defendants and to minimize expense to the counties.

In instances in which a public defender office does not exist in a county or cannot ethically or practically be appointed to represent criminal defendants, counties appoint private attorneys to represent indigent defendants. In such situation, counties will generally pay such private attorneys an hourly rate to represent indigent defendants in criminal and juvenile cases. The hourly rates vary in differing counties. Additionally, the rate is set by local county officials or by judges appointing counsel.

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

1. That the Judiciary Committee 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 424. Introduced by Cavanaugh, J., 9.

PURPOSE: The purpose of this resolution is to propose an interim study to research the topic of home equity theft. Home equity theft occurs when a home is foreclosed on for tax debt and none of the home's value in excess of the tax and other debts is returned to the original owner. In most states, if a property owner fails to pay their property taxes on their home or property, the home or property can be foreclosed on and sold at auction to pay the debt with any remaining proceeds from the sale being returned to the original homeowner. However, in 12 states, including Nebraska, a property owner can lose their property and all their invested equity in that property as recompense for a minor tax debt. Unlike traditional tax or mortgage foreclosures, home equity theft schemes leave the original owner with nothing, regardless of the size of the debt or value of the property. This study shall include, but not be limited to, an examination of the following:

- (1) How many homes or properties are having their equity taken in the property tax foreclosure process;
- (2) How much home equity is being lost from excessive fines;
- (3) The property tax foreclosure process in other states, including Wyoming, South Dakota, Iowa, Missouri, Kansas, and Colorado; and
- (4) Potential violations of constitutional rights.

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

1. That the Judiciary 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 or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 425. Introduced by Lathrop, 12.

PURPOSE: The purpose of this interim study is to examine the operational and statutory needs of law enforcement departments of the University of Nebraska. The study shall include, but need not be limited to, the examination of:

- (1) Relevant Nebraska laws governing the law enforcement departments of the University of Nebraska;
- (2) Relevant Nebraska laws governing law enforcement agencies, law enforcement officers, and peace officers;
- (3) Existing agreements between law enforcement departments of the University of Nebraska and the Nebraska State Patrol; and
- (4) Relevant Nebraska laws to determine whether establishing such university law enforcement departments in statute would be beneficial.

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

1. That the Judiciary 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 or Legislature.

Referred to the Executive Board.

RECESS

At 12:03 p.m., on a motion by Senator DeBoer, the Legislature recessed until 1:00 p.m.

AFTER RECESS

The Legislature reconvened at 1:00 p.m., Senator Hughes presiding.

ROLL CALL

The roll was called and all members were present except Senators Geist and Pahls who were excused; and Senators Arch, Blood, Bostelman, Briese,

B. Hansen, Hunt, Jacobson, McDonnell, Morfeld, Moser, Pansing Brooks, Vargas, Walz, Wayne, and Wishart who were excused until they arrive.

PRESENTED TO THE GOVERNOR

Presented to the Governor on March 29, 2022, at 12:15 p.m. were the following: LBs 1012e and 1011e.

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

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 1014. Placed on Final Reading.

ST56

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

1. The Morfeld amendment, AM2561, has been correlated with the Stinner amendment, AM2580 and incorporated into the E & R amendments, ER155, as follows:

- a. Section 20 has been renumbered as section 24; and
- b. In lieu of amendments 2 and 3, in the E & R amendments, ER155:
 - i. On page 25, line 30; and page 26, line 1, "46,000,000" has been struck and "41,500,000" inserted;
 - ii. On page 26, line 3, "\$46,000,000" has been struck and "\$41,500,000" inserted; and
 - iii. On page 27, line 30, "\$11,000,000" has been struck and "\$10,500,000" inserted.
2. In the E & R amendments, ER155, section numbers have been renumbered and internal references corrected to incorporate all adopted amendments.

(Signed) Terrell McKinney, Chairperson

MOTION(S) - Bracket LB1013

Senator M. Cavanaugh renewed her motion, [MO191](#), found in this day's Journal, to bracket LB1013 until March 30, 2022.

SENATOR WILLIAMS PRESIDING

Senator Stinner offered the following motion:

MO192

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Stinner requested a roll call vote, in reverse order, on his motion to invoke cloture.

The Stinner motion to invoke cloture prevailed with 34 ayes, 3 nays, 9 present and not voting, and 3 excused and not voting.

The M. Cavanaugh motion to bracket failed with 1 aye, 43 nays, 2 present and not voting, and 3 excused and not voting.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1013. With Emergency Clause.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Revised Statutes Supplement, 2021; to provide and eliminate fund transfer provisions; 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, 33:

Aguilar	Day	Hilkemann	McCollister	Vargas
Blood	DeBoer	Hughes	McDonnell	Walz
Bostar	Dorn	Hunt	McKinney	Wayne
Bostelman	Erdman	Jacobson	Morfeld	Williams
Brandt	Flood	Kolterman	Pansing Brooks	Wishart
Cavanaugh, J.	Gragert	Lathrop	Sanders	
Clements	Hilgers	Lindstrom	Stinner	

Voting in the negative, 5:

Albrecht	Brewer	Briese	Friesen	Slama
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Present and not voting, 8:

Cavanaugh, M.	Hansen, B.	Linehan	Moser
Halloran	Hansen, M.	Lowe	Murman

Excused and not voting, 3:

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

SELECT FILE

LEGISLATIVE BILL 1084. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1083. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1023. Senator Hilgers renewed his amendment, [AM2300](#), found on page 836 and considered on page 953.

Senator M. Cavanaugh renewed her amendment, [AM2496](#), found on page 920 and considered on page 953, to the Hilgers amendment.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 17 ayes, 8 nays, and 24 not voting.

The M. Cavanaugh amendment was adopted with 25 ayes, 2 nays, 17 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh offered her amendment, [AM2546](#), found on page 935, to the Hilgers amendment.

SENATOR HUGHES PRESIDING

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 20 ayes, 9 nays, and 20 not voting.

The M. Cavanaugh amendment lost with 6 ayes, 25 nays, 13 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh withdrew her amendment, [AM2573](#), found on page 972.

The Hilgers amendment, as amended, was adopted with 32 ayes, 2 nays, 10 present and not voting, and 5 excused and not voting.

Senator M. Cavanaugh requested a machine vote on the advancement of the bill.

Advanced to Enrollment and Review for Engrossment with 29 ayes, 4 nays, 11 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 1015. Senator Stinner withdrew his amendment, [AM2245](#), found on page 950.

The M. Cavanaugh amendment, [AM2577](#), found on page 972, was not considered.

Senator M. Cavanaugh offered her amendment, [AM2494](#), found on page 954.

SENATOR WILLIAMS PRESIDING

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 18 ayes, 2 nays, and 29 not voting.

The M. Cavanaugh amendment was adopted with 44 ayes, 0 nays, 1 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Pending.

BILL ON FIRST READING

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

LEGISLATIVE BILL 596A. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 596, One Hundred Seventh Legislature, Second Session, 2022.

SELECT FILE**SENATOR HUGHES PRESIDING**

LEGISLATIVE BILL 1015. Senator M. Cavanaugh offered the following amendment:

[AM2647](#)

(Amendments to AM2494)

- 1 1. Strike amendment 1 and insert the following new amendment:
- 2 1. Insert the following new section:
- 3 Sec. 4. (1) An individual listed in subsection (2) of this section
- 4 or his or her immediate family member shall not, directly or indirectly,
- 5 hold a financial interest in any entity which is party to a contract or
- 6 have a financial interest in the ownership or lease of any property
- 7 relating to the development, construction, management, or operation of
- 8 the Perkins County Canal Project.
- 9 (2) This section shall apply to:
- 10 (a) Any elected official in the executive branch of state
- 11 government. This section shall apply to such official while he or she is
- 12 in office and for two years after he or she leaves office; and
- 13 (b) Any member of the Legislature.
- 14 (3) For purposes of this section, immediate family member means a
- 15 spouse, child, sibling, or parent and includes the spouse of any child,
- 16 sibling, or parent.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 27 ayes, 7 nays, and 15 not voting.

The M. Cavanaugh amendment was adopted with 44 ayes, 0 nays, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

The Chair declared the call raised.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE RESOLUTION 263CA. Placed on Select File.

LEGISLATIVE BILL 852. Placed on Select File with amendment.

[ER157](#)

1 1. Strike the original sections and all amendments thereto and
 2 insert the following new sections:
 3 Section 1. (1) On or before August 1, 2023, each school district
 4 shall designate one or more behavioral health points of contact for each
 5 school building or other division as determined by the school district. A
 6 behavioral health point of contact may be an administrator, a school
 7 nurse, a school psychologist, or another designated person affiliated
 8 with such school building or other division. Each behavioral health point
 9 of contact shall have knowledge of community behavioral health service
 10 providers and other resources available for students and families.
 11 (2) On or before August 1, 2023, and on or before each August 1
 12 thereafter, the State Department of Education, in consultation with the
 13 Division of Behavioral Health of the Department of Health and Human
 14 Services, shall provide each school district with a registry of state and
 15 local behavioral health resources available to work with students and
 16 families by geographic area. The registry shall be updated at least
 17 annually and include resources for both school-based services and
 18 services accessible by students' families outside of school.
 19 (3) Each behavioral health point of contact shall coordinate access
 20 to community behavioral health services for students and families and
 21 facilitate access to services during the school day at the school the
 22 student attends. Except as provided in section 43-2101, such facilitation
 23 shall be approved by the student's parent or guardian.
 24 (4) Before the beginning of school year 2023-24, and before the
 25 beginning of each school year thereafter, each school district shall
 26 report the designated behavioral health points of contact to the State
 27 Department of Education.
 1 Sec. 2. (1) The State Department of Education shall establish a
 2 mental health first aid training program for teachers and other personnel
 3 employed by a school district or an educational service unit
 4 participating in a grant under subsection (2) of section 79-1054.
 5 (2) The mental health first aid training is to be delivered by
 6 trainers who are properly certified by a national organization for
 7 behavioral health to provide training meeting the requirements of this
 8 section. The program shall also provide an opportunity for teachers and
 9 other designated personnel to complete the training necessary to become
 10 certified by a national organization for behavioral health to provide
 11 mental health first aid training to other teachers and designated
 12 personnel.
 13 (3) Mental health first aid training shall include training on:
 14 (a) The skills, resources, and knowledge necessary to assist
 15 students in crisis to connect with appropriate local mental health care
 16 services;
 17 (b) Mental health resources, including the location of local
 18 community mental health centers; and
 19 (c) Action plans and protocols for referral to such resources.
 20 (4) A recipient of mental health first aid training shall also
 21 receive instruction in preparation to:

22 (a) Safely de-escalate crisis situations;
 23 (b) Recognize the signs and symptoms of mental illness, including
 24 such psychiatric conditions as major clinical depression and anxiety
 25 disorders; and
 26 (c) Timely refer a student to mental health services in the early
 27 stages of the development of a mental disorder to avoid subsequent
 28 behavioral health care and to enhance the effectiveness of mental health
 29 services. Except as provided in section 43-2101, any such referral shall
 30 be approved by the student's parent or guardian.
 31 (5) It is the intent of the Legislature that the mental health first
 1 aid training program under this section shall be funded using lottery
 2 funds under section 9-812.
 3 Sec. 3. Section 79-1054, Revised Statutes Cumulative Supplement,
 4 2020, is amended to read:
 5 79-1054 (1)(a) This subsection applies until July 1, 2024.
 6 (b) (4) The State Board of Education shall establish a competitive
 7 innovation grant program with funding from the Nebraska Education
 8 Improvement Fund pursuant to section 9-812. Grantees shall be a school
 9 district, an educational service unit, or a combination of entities that
 10 includes at least one school district or educational service unit. For
 11 grantees that consist of a combination of entities, a participating
 12 school district or educational service unit shall be designated to act as
 13 the fiscal agent and administer the program funded by the grant. The
 14 state board shall only award grants pursuant to applications that the
 15 state board deems to be sufficiently innovative and to have a high chance
 16 of success.
 17 (c) (2) An application for a grant pursuant to this subsection (4)
 18 of this section shall describe:
 19 (i) (a) Specific measurable objectives for improving education
 20 outcomes for early childhood students, elementary students, middle school
 21 students, or high school students or for improving the transitions
 22 between any successive stages of education or between education and the
 23 workforce;
 24 (ii) (b) The method for annually evaluating progress toward a
 25 measurable objective, with a summative evaluation of progress submitted
 26 to the state board and electronically to the Education Committee of the
 27 Legislature on or before July 1, 2019;
 28 (iii) (c) The potential for the project to be both scalable and
 29 replicable; and
 30 (iv) (d) Any cost savings that could be achieved by reductions in
 31 other programs if the funded program is successful.
 1 (d) (3) Based on evaluations received on or before July 1, 2019, for
 2 each grant, the State Board of Education shall recommend the grant
 3 project as:
 4 (i) (a) Representing a best practice;
 5 (ii) (b) A model for a state-supported program; or
 6 (iii) (c) A local issue for further study.
 7 (e) (4) On or before December 1, 2017, and on or before December 1
 8 of each year thereafter, the state board shall electronically submit a
 9 report to the Clerk of the Legislature on all such grants, including, but
 10 not limited to, the results of the evaluations for each grant. The state
 11 board may adopt and promulgate rules and regulations to carry out this
 12 subsection section, including, but not limited to, application
 13 procedures, selection procedures, and annual evaluation reporting
 14 procedures.
 15 (2)(a) This subsection applies beginning July 1, 2024.
 16 (b) The State Board of Education shall establish innovation grant
 17 programs in areas, including, but not limited to, (i) mental health first
 18 aid, (ii) early literacy, (iii) quality instructional materials, (iv)
 19 personalized learning through digital education, or (v) other innovation
 20 areas identified by the board. It is the intent of the Legislature that
 21 such grant programs shall be funded using lottery funds under section
 22 9-812. Grantees shall be a school district, an educational service unit,
 23 or a combination of entities that includes at least one school district

24 or educational service unit.

25 (c) An application for participating in an innovation grant pursuant
26 to this subsection shall describe:

27 (i) Specific measurable objectives for improving education outcomes
28 for early childhood students, elementary students, middle school
29 students, or high school students or for improving the transitions
30 between any successive stages of education or between education and the
31 workforce;

1 (ii) Participation in a method for annually evaluating progress
2 toward a measurable objective, with a summative evaluation of progress
3 submitted to the state board and electronically to the Education
4 Committee of the Legislature on or before July 1 of each year;

5 (iii) The potential for the grant program to be both scalable and
6 replicable; and

7 (iv) Any cost savings that could be achieved by reductions in other
8 programs if the grant program is successful.

9 (d) Based on evaluations received on or before July 1 of each year
10 for each grant program, the State Board of Education shall recommend the
11 grant program as:

12 (i) Representing a best practice;

13 (ii) A model for a state-supported program; or

14 (iii) A local issue for further study.

15 (e) On or before December 1 of each year, the state board shall
16 electronically submit a report to the Clerk of the Legislature on all
17 such grant programs, including, but not limited to, the results of the
18 evaluations for each grant program. The state board may adopt and
19 promulgate rules and regulations to carry out this subsection, including,
20 but not limited to, application procedures, selection procedures, and
21 annual evaluation reporting procedures.

22 (3) (5) The Department of Education Innovative Grant Fund is
23 created. The fund shall be administered by the State Department of
24 Education and shall consist of transfers pursuant to section 9-812,
25 repayments of grant funds, and interest payments received in the course
26 of administering this section. The fund shall be used to carry out this
27 section. Any money in the fund available for investment shall be invested
28 by the state investment officer pursuant to the Nebraska Capital
29 Expansion Act and the Nebraska State Funds Investment Act.

30 Sec. 4. Section 2 of this act becomes operative on July 1, 2024. The
31 other sections of this act become operative on their effective date.

1 Sec. 5. Original section 79-1054, Revised Statutes Cumulative
2 Supplement, 2020, is repealed.
3 2. On page 1, strike beginning with "schools" in line 1 through line
4 4 and insert "education; to amend section 79-1054, Revised Statutes
5 Cumulative Supplement, 2020; to provide for behavioral health points of
6 contact; to provide duties for the State Department of Education, the
7 Division of Behavioral Health of the Department of Health and Human
8 Services, and school districts; to provide for mental health first aid
9 training; to change provisions relating to education innovation grants;
10 to harmonize provisions; to provide operative dates; and to repeal the
11 original section."

LEGISLATIVE BILL 1016. Placed on Select File with amendment.

[ER156](#)

1 1. On page 1, strike lines 2 through 4 and insert "sections 39-2801
2 and 39-2812, Reissue Revised Statutes of Nebraska, and sections 39-2802,
3 39-2808, 39-2809, 39-2811, 39-2813, 39-2814, 39-2816, 39-2821, and
4 39-2822, Revised Statutes Cumulative Supplement, 2020; to define and
5 redefine terms; to provide for public-private partnerships and
6 progressive design-build; to harmonize".

LEGISLATIVE BILL 902. Placed on Select File with amendment.

[ER160](#)

1 1. In the Standing Committee amendments, AM2194, on page 11, line
2 15, after "become" insert "operative".
3 2. On page 1, line 2, strike "and to provide an operative date" and
4 insert "to state legislative intent relating to appropriations; and to
5 provide operative dates".

LEGISLATIVE BILL 902A. Placed on Select File.

LEGISLATIVE BILL 1069. Placed on Select File with amendment.
[ER158](#) is available in the Bill Room.

LEGISLATIVE BILL 853. Placed on Select File with amendment.
[ER159](#)

1 1. On page 1, strike beginning with "section" in line 1 through line
2 4 and insert "sections 77-3513 and 77-3522, Reissue Revised Statutes of
3 Nebraska, section 77-3506, Revised Statutes Cumulative Supplement, 2020,
4 and section 77-3512, Revised Statutes Supplement, 2021; to provide a
5 homestead exemption for certain disabled veterans as prescribed and
6 change provisions relating to homestead exemptions; to harmonize
7 provisions; to provide an operative date; and to repeal the original
8 sections."

LEGISLATIVE BILL 741A. Placed on Select File.

LEGISLATIVE BILL 752A. Placed on Select File.

LEGISLATIVE BILL 1024A. Placed on Select File.

(Signed) Terrell McKinney, Chairperson

GENERAL FILE

LEGISLATIVE BILL 876. Title read. Considered.

Committee [AM2188](#), found on page 785, was offered.

Senator Briese withdrew his amendment, [AM2191](#), found on page 788.

The committee amendment was adopted with 30 ayes, 0 nays, 12 present and not voting, and 7 excused and not voting.

Senator Briese withdrew his amendment, [AM2189](#), found on page 788.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 8 present and not voting, and 7 excused and not voting.

SPEAKER HILGERS PRESIDING

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LB1013e.

SENATOR ARCH PRESIDING**GENERAL FILE**

LEGISLATIVE BILL 686. Title read. Considered.

Senator M. Cavanaugh offered the following motion:

[MO193](#)

Bracket until March 30, 2022.

Pending.

MESSAGE(S) FROM THE GOVERNOR

March 29, 2022

Mr. President, Mr. Speaker, and
Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President and Members of the Legislature:

I am returning LB 1073 without my signature and with my objections.

LB 1073 purports to force me, in my official capacity, to apply for \$120,000,000 of federal funds from a second round of optional federal funding for the Emergency Rental Assistance Program (“ERAP”). The bill also requires me to disburse all funds received. I am fundamentally opposed to seeking additional federal ERAP funds.

As Nebraskans, we value resourcefulness and self-reliance. We also care for our neighbors. We recognize that extraordinary times such as a natural disaster or a global pandemic warrant extra assistance. During the height of the coronavirus pandemic, Nebraskans stepped up to help those in need. At the federal and state level, we did the same. The State has received and is distributing an unprecedented amount of federal funding – over \$24 billion dollars -- to help Nebraskans weather the storm over these past two years.

At a certain point, however, we must acknowledge that the storm has passed and we need to get back to the Nebraska Way. The ERAP is no longer about addressing the impacts of coronavirus. Instead, taking three more years of

federal funding to make rental payments will create a government subsidy that will make people reliant on the government for years to come.

We must guard against big government socialism where people are incentivized not to work but are instead encouraged to rely on government handouts well after an emergency is over. We cannot justify asking for federal relief when Nebraska has the lowest unemployment rate in the nation and we are no longer in a state of emergency.

The State still has nearly \$30 million of unused ERAP funds. This means that after more than a year, we have only expended about 40 percent of the program's dollars. The remainder is more than enough to meet the legitimate needs for assistance through the end of the year.

It has been alleged that dollars remain in the current program because the application process is somehow arduous. That is flatly untrue. The ERAP application is no more burdensome to complete than applications which individuals file for food stamps or Medicaid benefits nor applications that small business owners, farmers, ranchers, and child care center owners were required to complete to receive federal assistance from multiple federal CARES Act grant programs which the State has administered in the past two years. Like the ERAP program, these programs all required an applicant to demonstrate their identity, their location, and that they experienced a financial loss due to COVID-19. These steps are prudent to prevent fraud and to protect the integrity of taxpayer funds.

Finally, some believe we should take the money simply because it's available. However, there's no such thing as "free money." The second round of ERAP dollars is a perfect example of the kind of blind spending from the federal government that has ushered in record inflation. And if we continue to pile onto our national debt, our kids and grandkids will be the ones footing the bill. In Nebraska, that's not who we are.

For these reasons, I respectfully urge you to sustain my veto of LB 1073.

Sincerely,
(Signed) Pete Ricketts
Governor

AMENDMENT(S) - Print in Journal

Senator Lathrop filed the following amendment to [LB1241A](#):
[AM2639](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. There is hereby appropriated (1) \$5,080,000 from the
4 General Fund for FY2022-23 and (2) \$5,000,000 from the General Fund for
5 FY2023-24 to the Nebraska Commission on Law Enforcement and Criminal
6 Justice, for Program 199, to aid in carrying out the provisions of
7 Legislative Bill 1241, One Hundred Seventh Legislature, Second Session,

8 [2022](#).

9 Total expenditures for permanent and temporary salaries and per
10 diems from funds appropriated in this section shall not exceed \$42,263
11 for FY2022-23 or \$42,263 for FY2023-24.

12 Sec. 2. Since an emergency exists, this act takes effect when passed
13 and approved according to law.

Senator Pansing Brooks filed the following amendment to [LB984](#):
[AM2642](#) is available in the Bill Room.

GENERAL FILE

LEGISLATIVE BILL 686. Senator M. Cavanaugh renewed her motion,
[MO193](#), found in this day's Journal, to bracket until March 30, 2022.

SENATOR WILLIAMS PRESIDING

Pending.

PRESENTED TO THE GOVERNOR

Presented to the Governor on March 29, 2022, at 6:20 p.m. was the
following: LB1013e.

(Signed) Dallas Mehling
Clerk of the Legislature's Office

MOTION(S) - Print in Journal

Senator Wayne filed the following motion to [LB1073](#):
[MO195](#)
Becomes law notwithstanding the objections of the Governor.

GENERAL FILE

LEGISLATIVE BILL 750A. Title read. Considered.

Senator M. Cavanaugh offered the following motion:
[MO194](#)
Bracket until March 30, 2022.

Pending.

AMENDMENT(S) - Print in Journal

Senator McKinney filed the following amendment to [LB927](#):
[AM2632](#)

(Amendments to Standing Committee amendments, AM2023)

1 1. Insert the following new section:
2 Sec. 3. Section 13-2605, Revised Statutes Cumulative Supplement,
3 2020, is amended to read:
4 13-2605 (1) All applications for state assistance under the

5 Convention Center Facility Financing Assistance Act shall be in writing
6 and shall include a certified copy of the approving action of the
7 governing body of the applicant describing the proposed eligible facility
8 and the anticipated financing.

9 (2) The application shall contain:

10 (a) A description of the proposed financing of the eligible
11 facility, including the estimated principal and interest requirements for
12 the bonds proposed to be issued in connection with the eligible facility
13 or the amounts necessary to repay the original investment by the
14 applicant in the eligible facility;

15 (b) Documentation of local financial commitment to support the
16 project, including all public and private resources pledged or committed
17 to the project; and

18 (c) Any other project information deemed appropriate by the board.

19 (3) Upon receiving an application for state assistance, the board
20 shall review the application and notify the applicant of any additional
21 information needed for a proper evaluation of the application.

22 (4) Any state assistance received pursuant to the act shall be used
23 only for public purposes.

24 (5) Each political subdivision that had an application for state
25 assistance approved prior to the effective date of this act ~~October 1,~~
26 ~~2016~~, shall submit a map to the Department of Revenue showing the area
1 that lies within ~~one thousand two six~~ hundred yards of the eligible
2 facility as such area is described in subdivision (1) of section 13-2603.

3 The department shall approve such area if it satisfies the requirements
4 of subdivision (1) of section 13-2603.

5 2. On page 1, line 9, strike "six", show as stricken, and insert
6 "~~one thousand two~~".

7 3. On page 4, strike beginning with "to" in line 22 through line 26,
8 show as stricken, and insert "Fifty-five percent of such funds shall be
9 used to showcase important historical aspects of such areas or areas
10 within close geographic proximity of the area with a high concentration
11 of poverty and to assist with the reduction of street and gang violence
12 in such areas. Forty-five percent of such funds shall be used to assist
13 with small business and entrepreneurship growth in such areas.".

14 4. On page 5, line 24, after the period insert "Applications may be
15 submitted to either of the committee members described in subdivisions
16 (3)(c)(i) and (ii) of this section.".

17 5. On page 6, after line 13 insert the following new subdivisions:

18 "(e) For any committee formed under subdivision (3)(b) of this
19 section:

20 (i) The two committee members described in subdivisions (3)(c)(i)
21 and (ii) of this section shall share joint responsibility of all
22 committee operations and meetings. Applications for funding may be
23 submitted to either of such members; and

24 (ii) All applications, reports, and other records of the committee
25 shall be accessible to any member of the committee.

26 (f) Each recipient of funding from a committee formed under
27 subdivision (3)(b) of this section shall submit an itemized report to
28 such committee on the use of such funds. A recipient shall not be
29 eligible to receive funding for more than three consecutive years unless
30 such recipient is able to justify continued funding based on the
31 following criteria:

1 (i) The number of people served by the project;

2 (ii) The relevance and scale of the project;

3 (iii) The desirability of the social or environmental outcomes of
4 the project and how such outcomes will be achievable and measurable;

5 (iv) The economic impact on the area with a high concentration of
6 poverty; and

7 (v) The recipient's sustainability plan."; in line 14 strike "(e)",

8 show as stricken, and insert "(g)"; and in line 23 strike "(f)", show as
9 stricken, and insert "(h)".
10 6. Renumber the remaining sections and correct the repealer
11 accordingly.

GENERAL FILE

LEGISLATIVE BILL 750A. Senator M. Cavanaugh renewed her motion, [MO194](#), found in this day's Journal, to bracket until March 30, 2022.

Senator M. Cavanaugh withdrew her motion to bracket.

Senator M. Cavanaugh offered the following motion:

[MO196](#)

Bracket until April 20, 2022.

Senator M. Cavanaugh withdrew her motion to bracket.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 3 present and not voting, and 12 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 698A. Senator M. Cavanaugh offered the following motion:

[MO197](#)

Bracket until March 30, 2022.

Pending.

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 873. Placed on General File with amendment. [AM2649](#) is available in the Bill Room.

(Signed) Lou Ann Linehan, Chairperson

VISITOR(S)

Visitors to the Chamber were fourth-grade students from Prairie Queen Elementary, Papillion; fourth-grade students from Crete Intermediate School, Crete; fourth-grade students from La Vista West Elementary, La Vista; and members of RISE.

The Doctor of the Day was Dr. Dan Rosenquist of Columbus.

ADJOURNMENT

At 8:10 p.m., on a motion by Senator McDonnell, the Legislature adjourned until 9:00 a.m., Wednesday, March 30, 2022.

Patrick J. O'Donnell
Clerk of the Legislature

