

**ELEVENTH DAY - JANUARY 19, 2023****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
FIRST SESSION****ELEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, January 19, 2023

**PRAYER**

The prayer was offered by Senator Blood.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator DeKay.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Arch presiding.

The roll was called and all members were present except Senators Bostar, Day, Lowe, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the tenth day was approved.

**SENATOR DORN PRESIDING****REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LB465	Transportation and Telecommunications
LB466	Judiciary
LB467	Judiciary
LB468	Health and Human Services
LB469	Business and Labor
LB470	Appropriations
LB471	Health and Human Services
LB472	Judiciary

LB473	Judiciary
LB474	Government, Military and Veterans Affairs
LB475	Education
LB476	Banking, Commerce and Insurance
LB477	Appropriations
LB478	Education
LB479	Judiciary
LB480	Judiciary
LB481	Urban Affairs
LB482	Judiciary
LB483	Banking, Commerce and Insurance
LB484	Transportation and Telecommunications
LB485	Government, Military and Veterans Affairs
LB486	Government, Military and Veterans Affairs
LB487	Education
LB488	Health and Human Services
LB489	Business and Labor
LB490	Appropriations
LB491	Revenue
LB492	Revenue
LB493	General Affairs
LB494	Judiciary
LB495	Revenue
LB496	Revenue
LB497	Revenue
LB498	Revenue
LB499	Revenue
LB500	Health and Human Services
LB501	Business and Labor
LB502	Business and Labor
LB503	Health and Human Services
LB504	Appropriations
LB505	Revenue
LB506	Appropriations
LB507	Judiciary
LB508	Appropriations
LB509	Appropriations
LB510	Health and Human Services
LB511	Appropriations
LB512	General Affairs
LB513	Government, Military and Veterans Affairs
LB514	Government, Military and Veterans Affairs
LB515	Banking, Commerce and Insurance
LB516	Education
LB517	Health and Human Services
LB518	Education
LB519	Education
LB520	Education
LB521	Judiciary

LB522	Education
LB523	Health and Human Services
LB524	Revenue
LB525	Appropriations
LB526	Appropriations
LB527	Education
LB528	Education
LB529	Revenue
LB530	Urban Affairs
LB531	Urban Affairs
LB532	Urban Affairs
LB533	Urban Affairs
LB534	Appropriations
LB535	Government, Military and Veterans Affairs
LB536	Banking, Commerce and Insurance
LB537	Banking, Commerce and Insurance
LB538	Banking, Commerce and Insurance
LB539	Health and Human Services
LB540	Government, Military and Veterans Affairs
LB541	Government, Military and Veterans Affairs
LB542	General Affairs
LB543	General Affairs
LB544	General Affairs
LB545	Judiciary
LB546	Urban Affairs
LB547	Appropriations
LB548	Health and Human Services
LB549	Judiciary
LB550	Education
LB551	Appropriations
LB552	Executive Board
LB553	Judiciary
LB554	Appropriations
LB555	Judiciary
LB556	Natural Resources
LB557	Judiciary
LB558	Business and Labor
LB559	Government, Military and Veterans Affairs
LB560	Appropriations
LB561	Health and Human Services
LB562	Agriculture
LB563	Appropriations
LB564	Transportation and Telecommunications
LB565	Natural Resources
LB566	Executive Board
LB567	Natural Resources
LB568	Natural Resources
LB569	Government, Military and Veterans Affairs
LB570	Health and Human Services

LB571	Appropriations
LB572	Health and Human Services
LB573	Appropriations
LB574	Health and Human Services
LB575	Education
LB576	Judiciary
LB577	Revenue
LB578	Appropriations
LB579	Judiciary
LB580	Revenue
LB581	Judiciary
LB582	Banking, Commerce and Insurance
LB583	Education
LB584	Revenue
LB585	Education
LB586	Health and Human Services
LB587	Banking, Commerce and Insurance
LB588	Judiciary
LB589	Revenue
LB590	Health and Human Services
LB591	Agriculture
LB592	Health and Human Services
LB593	Health and Human Services
LB594	Banking, Commerce and Insurance
LB595	Health and Human Services
LB596	General Affairs
LB597	Appropriations
LB598	Appropriations
LB599	Natural Resources
LB600	Transportation and Telecommunications
LB601	Appropriations
LB602	Revenue
LB603	Education
LB604	Government, Military and Veterans Affairs
LB605	Health and Human Services
LB606	Revenue
LB607	Transportation and Telecommunications
LB608	Appropriations
LB609	Appropriations
LB610	Appropriations
LB611	Health and Human Services
LB612	Appropriations
LB613	Appropriations
LB614	Appropriations
LB615	Appropriations
LB616	Revenue
LB617	Banking, Commerce and Insurance
LB618	Business and Labor
LB619	Judiciary

LB620 Judiciary  
LB621 Banking, Commerce and Insurance  
LB622 Revenue  
LB623 Revenue  
LB624 Government, Military and Veterans Affairs  
LB625 Transportation and Telecommunications  
LB626 Health and Human Services  
LB627 Education

(Signed) Tom Briese, Chairperson  
Executive Board

**NOTICE OF COMMITTEE HEARING**

Health and Human Services  
Room 1510 1:30 PM

Friday, January 27, 2023

Dannette R. Smith - Department of Health and Human Services  
Anthony (Tony) R. Green - Department of Health and Human Services  
Kevin Bagley - Department of Health and Human Services  
Charity Merritt Menefee - Department of Health and Human Services

(Signed) Ben Hansen, Chairperson

**MOTION - Adopt Permanent Rules**

Senator Erdman moved to adopt permanent rules for the One Hundred Eighth Legislature, First Session and Second Session, and any special sessions held during the 2023- 2024 calendar years.

The Rules Committee offered the proposed rule change, Proposed Rule Change 1, found on page 295, to Rule 1, Sec. 19.

The Rules Committee's proposed rule change, Proposed Rule Change 1, to Rule 1, Sec. 19, was adopted with 42 ayes, 0 nays, 3 present and not voting, and 4 excused and not voting.

The Rules Committee offered the proposed rule change, Proposed Rule 2, found on page 295, to Rule 5, Sec. 5.

The Rules Committee's proposed rule change, Proposed Rule Change 2, to Rule 5, Sec. 5, was adopted with 47 ayes, 0 nays, and 2 excused and not voting.

The Rules Committee offered the proposed rule change, Proposed Rule Change 3, found on page 295, to Rule 5, Sec. 5.

The Rules Committee's proposed rule change, Proposed Rule Change 3, to Rule 5, Sec. 5, was adopted with 46 ayes, 0 nays, 1 present and not voting, and 2 excused and not voting.

The Rules Committee offered the proposed rule change, Proposed Rule Change 4, found on page 296, to Rule 3, Sec. 1.

The Rules Committee's proposed rule change, Proposed Rule Change 4, to Rule 3, Sec. 1, was adopted with 47 ayes, 0 nays, and 2 excused and not voting.

The Rules Committee offered the proposed rule change, Proposed Rule Change 5, found on page 296, to Rule 3, Sec. 4.

The Rules Committee's proposed rule change, Proposed Rule Change 5, to Rule 3, Sec. 4, was adopted with 47 ayes, 0 nays, and 2 excused and not voting.

The Rules Committee offered the proposed rule change, Proposed Rule Change 6, found on page 296, to Rule 2, Sec. 3.

The Rules Committee's proposed rule change, Proposed Rule Change 6, to Rule 2, Sec. 3, was adopted with 47 ayes, 0 nays, and 2 excused and not voting.

The Rules Committee offered the proposed rule change, Proposed Rule Change 7, found on page 297, to Rule 6, Sec. 3.

Senator M. Cavanaugh offered the following motion:  
Recommit Proposed Rule Change 7 to Rule 6, Sec. 3, to the Rules Committee

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

The Rules Committee's proposed rule change, Proposed Rule Change 7, to Rule 6, Sec. 3, was adopted with 46 ayes, 2 nays, and 1 excused and not voting.

Senator M. Cavanaugh offered the following proposed rules change:

**Rule 2, Sec. 12. Firearms in the Capitol.** All individuals are prohibited from carrying a deadly weapon in the Capitol and on capitol grounds except for law enforcement and military personnel during legislative proceedings.

The M. Cavanaugh proposed rule change to Rule 2, Sec. 12, failed with 7 ayes, 32 nays, 7 present and not voting, and 3 excused and not voting.

Senator M. Cavanaugh offered the following proposed rules change:

**Rule 1, Sec. 19. Journal, Governor's Messages, Amendments.**  
(h) A verbatim record of all debate and questions on all bills and resolutions, ~~and any~~ amendments offered hereto, and all committee briefings shall be made, transcribed, and preserved under the direction of the Clerk.

The M. Cavanaugh proposed rule change to Rule 1, Sec. 19, failed with 8 ayes, 33 nays, 5 present and not voting, and 3 excused and not voting.

Senator McDonnell offered the following proposed rules change:

**Rule 1, Sec. 22. Opening Prayer and Pledge of Allegiance.** The Clerk's office shall arrange for prayer and the Pledge of Allegiance at the beginning of each day of the legislative session. In addition to members of the body, a person who served in the active military, naval, air, space service, or those who are serving active or reserve duty in the military may be invited to lead the body in the Pledge of Allegiance. The Clerk's Office shall set procedures regarding individuals who may recite the prayer or pledge and shall have authority to enforce those procedures, including repudiation of the scheduled recitation.

The McDonnell proposed rule change to Rule 1, Sec. 22, was adopted with 44 ayes, 0 nays, 2 present and not voting, and 3 excused and not voting.

The Erdman motion to adopt permanent rules, as amended, prevailed with 44 ayes, 0 nays, 2 present and not voting, and 3 excused and not voting.

#### MOTION - Print in Journal

Senator M. Cavanaugh filed the following motion to LB811:

MO15

Indefinitely postpone.

#### AMENDMENTS - Print in Journal

Senator Hunt filed the following amendment to LB626:

AM13

1 1. Insert the following new section:

2 Sec. 6. (1) A hospital which provides emergency care for a sexual  
3 assault survivor shall:

4 (a) Provide the sexual assault survivor with medically and factually  
5 accurate and objective written and oral information about emergency  
6 contraception;

7 (b) Provide the sexual assault survivor with written and oral  
8 information in a language that the sexual assault survivor understands  
9 about the option to receive emergency contraception at the hospital; and

10 (c) Dispense a complete course of emergency contraception, in  
11 accordance with currently accepted professional standards of care and  
12 established protocols for sexual assault forensic medical examinations,  
13 to the sexual assault survivor.

14 (2) A hospital which provides emergency care for a sexual assault  
15 survivor shall provide training for all personnel involved in such care  
16 regarding the provision of medically and factually accurate objective  
17 information about emergency contraception.

18 (3) A hospital which provides emergency care for a sexual assault  
19 survivor shall ensure compliance with this section and shall develop  
20 policies and procedures, as necessary, to ensure compliance with the act  
21 in the case of moral or religious objections by individual health care

22 providers.

23 (4) For purposes of this section:

24 (a) Emergency care for a sexual assault survivor means a medical  
 25 examination, procedure, or service provided by a hospital to a sexual  
 26 assault survivor following a sexual assault;

27 (b) Emergency contraception means a federal Food and Drug  
 1 Administration-approved drug administered after sexual intercourse that  
 2 prevents pregnancy but which does not disrupt an existing pregnancy;

3 (c) Hospital means a hospital licensed under the Health Care  
 4 Facility Licensure Act;

5 (d) Medically and factually accurate and objective means verified or  
 6 supported by the weight of research conducted in compliance with accepted  
 7 scientific methods and standards, the currently accepted professional  
 8 standards of care and established protocols for medical care following  
 9 sexual assault as established in section 29-4311, and recognized as  
 10 accurate and objective by leading professional organizations and agencies  
 11 with relevant expertise in the field of obstetrics and gynecology;

12 (e) Sexual assault means any sexual assault that involves sexual  
 13 penetration as defined in section 28-318 or substantially similar  
 14 conduct; and

15 (f) Sexual assault survivor means an individual who is a victim of  
 16 sexual assault and who reports such sexual assault to a hospital,  
 17 including anonymous reporting pursuant to section 28-902.

18 2. On page 2, line 1, strike "6" and insert "7".

19 3. Renumber the remaining sections accordingly.

Senator Hunt filed the following amendment to LB626:

AM23

1 1. On page 6, line 23; page 8, line 13; and page 11, line 4 strike  
 2 "Violation of the Nebraska Heartbeat Act" and insert "Refusal to provide  
 3 life-saving care to a pregnant woman or minor girl or honor a woman or  
 4 minor girl's wishes to terminate an unwanted pregnancy".

5 2. On page 9, strike beginning with "performed" in line 3 through  
 6 "act" in line 4 and insert "refused to provide life-saving care to a  
 7 pregnant woman or minor girl or honor a woman or minor girl's wishes to  
 8 terminate an unwanted pregnancy"; and strike beginning with "performed"  
 9 in line 20 through "act" in line 21 and insert "refused to provide life-  
 10 saving care to a pregnant woman or minor girl or honor a woman or minor  
 11 girl's wishes to terminate an unwanted pregnancy".

12 3. On page 10, strike beginning with "performing" in line 8 through  
 13 "act" in line 9 and insert "refusing to provide life-saving care to a  
 14 pregnant woman or minor girl or honor a woman or minor girl's wishes to  
 15 terminate an unwanted pregnancy".

Senator Hunt filed the following amendment to LB626:

AM15

1 1. Strike section 2 and insert the following new section:  
 2 Sec. 2. The Nebraska Heartbeat Act shall only apply within the  
 3 boundaries of a city or village and only after the city council or  
 4 village board holds a public hearing on the matter and determines, by  
 5 majority vote, that the act shall apply within the city or village.

Senator Hunt filed the following amendment to LB626:

AM14

1 1. On page 2, line 4, after "pregnancies" insert "of married  
 2 couples".



Senator Hunt filed the following amendment to LB626:

AM26

- 1 1. Strike original section 16 and insert the following new section:
- 2 Sec. 15. This act shall become operative at such time as the
- 3 Legislature has passed legislation and appropriated funds to be included
- 4 indefinitely in each biennial budget for programs to cover one hundred
- 5 percent of the costs of: Prenatal and postnatal healthcare expenses for
- 6 pregnant women and minor girls; early childhood care or education;
- 7 children's health care; and paid parental leave.
- 8 2. Renumber the remaining section accordingly.

**NOTICE OF COMMITTEE HEARING**  
Government, Military and Veterans Affairs  
Room 1507 1:30 PM

Friday, January 27, 2023

LB51

LB2

(Signed) Tom Brewer, Chairperson

**UNANIMOUS CONSENT - Add Cointroducers**

Unanimous consent to add Senators as cointroducers. No objections. So ordered.

Senator McKinney name added to LB581.

Senator Day name added to LB588.

Senator McDonnell added to LB606.

Senator Bostar name added to LB709.

Senator Conrad name added to LB709.

Senator Raybould name added to LB709.

Senator Raybould name added to LB721.

Senator Bostar name added to LB721.

Senator Blood name added to LB769.

Senator Wayne name added to LB800.

**VISITORS**

Visitors to the Chamber were fourth-grade students from Trinity Lutheran School, Lincoln.

**ADJOURNMENT**

At 11:24 a.m., on a motion by Senator Wishart, the Legislature adjourned until 10:00 a.m., Friday, January 20, 2023.

Brandon Metzler  
Clerk of the Legislature

