

**TWENTY-FIRST DAY - FEBRUARY 2, 2023****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
FIRST SESSION****TWENTY-FIRST DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, February 2, 2023

**PRAYER**

The prayer was offered by Pastor Peter Sample, Calvary Bible Church, Neligh.

**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., President Kelly presiding.

The roll was called and all members were present except Senators Briese, Day, B. Hansen, Linehan, Vargas, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the twentieth day was approved.

**COMMITTEE REPORTS**

Banking, Commerce and Insurance

**LEGISLATIVE BILL 3.** Placed on General File.

**LEGISLATIVE BILL 93.** Placed on General File.

**LEGISLATIVE BILL 278.** Placed on General File.

**LEGISLATIVE BILL 536.** Placed on General File.

**LEGISLATIVE BILL 628.** Placed on General File with amendment.

**AM175**

1 1. On page 2, line 8, and page 10, line 11, after "all" insert "of

2 those".

3 2. On page 6, lines 9 and 28; page 8, lines 7 and 18; and page 9,

4 line 5, after "all" insert "of those".

5 3. On page 8, line 22, strike "applicant" and reinstate the stricken  
6 matter.

7 4. On page 10, line 25, strike "services", show as stricken, and  
8 insert "service"; and in line 26 strike "at law" and show as stricken.

(Signed) Julie Slama, Chairperson

Government, Military and Veterans Affairs

**LEGISLATIVE BILL 51.** Placed on General File.

**LEGISLATIVE BILL 252.** Placed on General File with amendment.

**AM153**

1 1. On page 4, after line 18 insert the following new subdivision:

2 "(i) Died while on active duty;"; in line 19 strike "(i)", show as

3 stricken, and insert "(ii)"; in line 20 strike "(ii)", show as stricken,

4 and insert "(iii)"; in line 23 strike "(iii)", show as stricken, and

5 insert "(iv)"; and in line 27 strike "(iv)", show as stricken, and insert

6 "(v)".

(Signed) Tom Brewer, Chairperson

General Affairs

The General Affairs Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Brenda M. Davis - Nebraska Arts Council

Ann Michelle Dudley - Nebraska Arts Council

Crystal Dunning - Nebraska Arts Council

Karen A. Harris - Nebraska Arts Council

Sharon R. Hofschire - Nebraska Arts Council

Mark Laughlin - Nebraska Arts Council

Aye: 8. Brewer, Cavanaugh, J., Day, Hardin, Holdcroft, Hughes, Lowe, Raybould. Nay: 0. Absent: 0. Present and not voting: 0.

The General Affairs Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Jeffrey Galyen - State Racing and Gaming Commission

Dennis Lee - State Racing and Gaming Commission

Aye: 8. Brewer, Cavanaugh, J., Day, Hardin, Holdcroft, Hughes, Lowe, Raybould. Nay: 0. Absent: 0. Present and not voting: 0.

The General Affairs Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

John F. Hiller - State Electrical Board

Aye: 8. Brewer, Cavanaugh, J., Day, Hardin, Holdcroft, Hughes, Lowe, Raybould. Nay: 0. Absent: 0. Present and not voting: 0.

The General Affairs Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Susan E. Lutz - Nebraska Commission on Problem Gambling  
Matthew John Monheiser - Nebraska Commission on Problem Gambling  
John Pulverenti - Nebraska Commission on Problem Gambling

Aye: 8. Brewer, Cavanaugh, J., Day, Hardin, Holdcroft, Hughes, Lowe, Raybould. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) John Lowe, Chairperson

**NOTICE OF COMMITTEE HEARINGS**

Business and Labor  
Room 1524 1:30 PM

Monday, February 13, 2023

LB639  
LB5  
LB101 (reschedule)  
LB393 (reschedule)  
LB327  
LB678  
LB671  
LB670  
LB335

Room 1524 1:30 PM

Monday, March 6, 2023

LB405  
LB272  
LB464  
LB203  
LB460  
LB380  
LB443  
LB191

Room 1524 1:30 PM

Monday, March 13, 2023

LB618  
 LB489  
 LB665  
 LB666  
 LB459  
 LB501  
 LB502  
 LB752  
 LB367

(Signed) Merv Riepe, Chairperson

Judiciary  
 Room 1113 9:30 AM

Thursday, February 9, 2023  
 LB588

Room 1113 1:30 PM

Thursday, February 9, 2023  
 LB436  
 LB307  
 LB22  
 LB634

(Signed) Justin Wayne, Chairperson

#### **AMENDMENTS - Print in Journal**

Senator Hunt filed the following amendment to [LB371](#):  
[AM204](#)

(Amendments to AM67)

1 1. Strike the original amendment and insert the following new  
 2 amendment:  
 3 1. Strike the original section and insert the following new section:  
 4 Section 1. (1) No manufacturer shall distribute chocolate-coated  
 5 candy for consumption by an individual under nineteen years of age  
 6 without the manufacturer of such candy explicitly identifying the candy's  
 7 gender assigned at birth on the packaging of such candy.  
 8 (2) Any manufacturer who distributes chocolate-coated candy for  
 9 consumption by an individual under nineteen years of age without  
 10 explicitly identifying the candy's gender assigned at birth on the  
 11 packaging of such candy shall be fined ten thousand dollars for each  
 12 violation of this section. Any fines collected by this section shall be  
 13 remitted to the State Treasurer for distribution in accordance with  
 14 Article VII, section 5, of the Constitution of Nebraska.  
 15 (3) Any person nineteen years of age or older who knowingly provides  
 16 chocolate-coated candy without the candy's gender assigned at birth  
 17 explicitly identified on the packaging of such candy to an individual  
 18 under nineteen years of age for consumption shall be guilty of a Class I  
 19 misdemeanor.

Senator Hunt filed the following amendment to [LB371](#):

[AM178](#)

(Amendments to AM67)

- 1 1. Strike the original amendment and insert the following new
- 2 amendment:
- 3 1. Strike the original section 1 and insert the following new
- 4 section:
- 5 Section 1. (1) No individual under nineteen years of age shall watch
- 6 any television program depicting sexual themes or violence without a
- 7 parent or guardian present.
- 8 (2) Any parent or guardian who knowingly allows an individual under
- 9 nineteen years of age to watch a television program depicting sexual
- 10 themes or violence without a parent or guardian present shall be guilty
- 11 of a Class I misdemeanor.

Senator Hunt filed the following amendment to [LB371](#):

[AM206](#)

(Amendments to AM67)

- 1 1. Strike the original amendment and insert the following new
- 2 amendment:
- 3 1. Strike the original section and insert the following new section:
- 4 Section 1. (1) No individual under nineteen years of age shall be
- 5 present at a movie theater showing of a movie rated R by the Motion
- 6 Picture Association of America.
- 7 (2) Any movie theater that knowingly allows an individual under
- 8 nineteen years of age to be present at a movie rated R by the Motion
- 9 Picture Association of America shall be fined ten thousand dollars for
- 10 each violation of this section. Any fines collected under this section
- 11 shall be remitted to the State Treasurer for distribution in accordance
- 12 with Article VII, section 5, of the Constitution of Nebraska.
- 13 (3) Any individual nineteen years of age or older who knowingly
- 14 brings an individual under nineteen years of age to a movie theater
- 15 showing of a movie rated R by the Motion Picture Association of America
- 16 shall be guilty of a Class I misdemeanor.

Senator Hunt filed the following amendment to [LB606](#):

[AM209](#)

(Amendments to FA2)

- 1 1. Strike the original amendment and insert the following new
- 2 amendment:
- 3 1. Strike original section 14 and insert the following new section:
- 4 Sec. 14. This act becomes operative when the Foster Care Review
- 5 Office or the Department of Health and Human Services certifies and
- 6 reports to the Legislature that zero children in the foster care system
- 7 who have a court-ordered permanency objective of adoption are free for
- 8 and awaiting adoption.

Senator Hunt filed the following amendment to [LB606](#):

[AM188](#) is available in the Bill Room.

Senator Hunt filed the following amendment to [LB89](#):

[AM203](#)

- 1 1. Strike the original section and insert the following new
- 2 sections:
- 3 Section 1. Section 25-21,200, Reissue Revised Statutes of Nebraska,
- 4 is amended to read:
- 5 25-21,200 (1) A surrogate parenthood contract entered into shall not

6 ~~limit the right of the gestational mother to make decisions to safeguard~~  
 7 ~~her health or the health of an embryo be void and unenforceable. The~~  
 8 ~~biological father of a child born pursuant to such a contract shall have~~  
 9 ~~all the rights and obligations imposed by law with respect to such child.~~  
 10 (2) For purposes of this section, ~~unless the context otherwise~~  
 11 ~~requires~~, a surrogate parenthood contract shall mean a contract by which  
 12 a woman is to be compensated for bearing a child of a man who is not her  
 13 husband.  
 14 Sec. 2. Original section 25-21,200, Reissue Revised Statutes of  
 15 Nebraska, is repealed.

Senator Hunt filed the following amendment to [LB374](#):

[AM197](#)

1 1. Strike original sections 6 and 7 of this act.  
 2 2. On page 3, strike lines 8 and 9; in line 10, strike "(7)" and  
 3 insert "(6)"; in line 18 strike "(8)" and insert "(7)"; and in line 22  
 4 strike "(9)" and insert "(8)".  
 5 3. On page 6, strike beginning with "Be" in line 1 through "inspect"  
 6 in line 2 and insert "Inspect".  
 7 4. On page 10, line 23, strike "parental transparency portal" and  
 8 insert "school's website".  
 9 5. On page 11, strike beginning with "parental" in line 19 through  
 10 "act" in line 20 and insert "school's website".  
 11 6. Renumber the remaining sections and correct internal references  
 12 accordingly.

Senator Hunt filed the following amendment to [LB374](#):

[AM200](#)

1 1. On page 12, strike beginning with the colon in line 28 through  
 2 line 31 and insert "such parent has contributed to, or is likely to  
 3 exacerbate, the child's suicidal ideation.".  
 4 2. On page 13, strike line 1.

Senator Hunt filed the following amendment to [LB374](#):

[AM199](#)

1 1. Insert the following new section:  
 2 Sec. 2. The Legislature finds that there is a growing fear among  
 3 some parents about the factual information their children are being  
 4 exposed to in schools contradicting the parents' beliefs about human  
 5 sexuality, the family unit, American history, and systemic racism. The  
 6 Legislature further finds that:  
 7 (1) The Parents' Bill of Rights and Academic Transparency Act is  
 8 necessary to appease a minority of public school parents who may pay  
 9 taxes and vote for members of the Legislature;  
 10 (2) Public school districts and the educational experts they employ,  
 11 including administrators and teachers, are incapable of making informed  
 12 decisions about factual curriculum that is appropriate for children to  
 13 learn; and  
 14 (3) Concepts such as same sex relationships, nontraditional family  
 15 structures and gender identities, America's history of slavery, the  
 16 realities of genocidal events such as the Holocaust, and belief systems  
 17 other than evangelical Christian doctrines are too intellectually  
 18 advanced and possibly emotionally distressing for Nebraska children.  
 19 2. Renumber the remaining sections and correct internal references  
 20 accordingly.

Senator Hunt filed the following amendment to [LB374](#):

[AM196](#)

1 1. Insert the following new section:  
2 Sec. 14. (1) Each school district shall develop an estimate of the  
3 number of full-time employees necessary for such school district to carry  
4 out the requirements of section 6 of this act. Each school district shall  
5 report such estimate to the Education Committee of the Legislature and  
6 the Appropriations Committee of the Legislature by January 1, 2024.  
7 (2) It is the intent of the Legislature to appropriate sufficient  
8 money from the General Fund to cover each school district's costs  
9 reported pursuant to subsection (1) of this section.  
10 2. On page 2, line 1, strike "13" and insert "14".  
11 3. Renumber the remaining sections and correct internal references  
12 accordingly.

Senator Hunt filed the following amendment to LB374:  
[AM198](#)

1 1. On page 1, lines 2 and 3 and 4; page 15, lines 17 and 18; and  
2 page 16, lines 14 and 15, strike "Parents' Bill of Rights and Academic  
3 Transparency Act" and insert "Teacher Surveillance Act".

Senator Hunt filed the following amendment to LB374:  
[AM191](#)

1 1. On page 8, line 29, strike "and"; in line 31 strike the period  
2 and insert "; and"; and after line 31 insert the following new  
3 subdivision:  
4 "(11) A list organized by school, grade level, and area of  
5 instruction, if applicable, that includes the personal religious beliefs  
6 of any teacher or administrator of the school district."

Senator Hunt filed the following amendment to LB606:  
[AM187](#) is available in the Bill Room.

Senator Linehan filed the following amendment to LB589:  
[FA8](#)

Strike Section 1.

Senator Linehan filed the following amendment to LB641:  
[FA9](#)

Strike Section 1.

Senator Linehan filed the following amendment to LB750:  
[FA10](#)

Strike Section 1.

Senator Linehan filed the following amendment to LB753:  
[FA11](#)

Strike Section 1.

Senator Linehan filed the following amendment to LB754:  
[FA12](#)

Strike Section 1.

Senator Linehan filed the following amendment to LB783:  
[FA13](#)

Strike Section 1.

Senator Linehan filed the following amendment to LB804:

[FA14](#)

Strike Section 1.

Senator Linehan filed the following amendment to LB806:

[FA15](#)

Strike Section 1.

Senator Linehan filed the following amendment to LB820:

[FA16](#)

Strike Section 1.

#### **UNANIMOUS CONSENT - Add Cointroducers**

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

Senator Lippincott name added to LB71.

Senator Slama name added to LB565.

Senator Lippincott name added to LB606.

#### **WITHDRAW - Cointroducer**

Senator Hunt name withdrawn from LB385.

#### **ADJOURNMENT**

At 9:10 a.m., on a motion by Senator Hunt, the Legislature adjourned until 9:00 a.m., Friday, February 3, 2023.

Brandon Metzler  
Clerk of the Legislature