

THIRD DAY - JANUARY 6, 2023

LEGISLATIVE JOURNAL

**ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION**

THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Friday, January 6, 2023

PRAYER

The prayer was offered by Senator Aguilar.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Speaker Arch.

ROLL CALL

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

The roll was called and all members were present except Senators Bostar and Hansen who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the second day was approved.

ANNOUNCEMENT

Priority designation received:

Brewer - LB77

REPORTS

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

INAUGURAL ADDRESS

Governor Jim Pillen delivered the following address at the Inaugural Ceremonies on January 5, 2023:

Lieutenant Governor Kelly; Speaker Arch; Chief Justice Heavican; Members of the 108th Nebraska Legislature; Family, friends, and distinguished guests.

My fellow Nebraskans: We live in a very special place, where the son of a tenant farmer and a seamstress can get a good education, go to college, receive a doctorate in veterinary medicine, raise a family, build a business, and be elected to lead the greatest state in America. I am humbled and honored to stand before you today as the 41st governor of the great State of Nebraska, and I am excited to work with each one of you to serve the people of Nebraska.

We have long attracted the very best: those with a pioneering spirit, drive for innovation, and an appetite for risk-taking and hard work. Our forefathers came from places of fewer opportunities and fewer freedoms to build better lives for themselves and their children right here in Nebraska.

Over the last two years, I've had the privilege of meeting countless Nebraskans across our great state in their homes, farms, ranches, businesses, churches, and community gatherings in all 93 counties. I can tell you with absolute certainty: Wherever you travel, you won't find more innovative, hardworking, and God-fearing people. *I love Nebraska*. There truly is no place like it.

Since the beginning, when pioneers settled the territory of Nebraska, our strength has come from our people, not government. Our people bring their best every single day. We work to earn a good living, do our jobs to the best of our ability, raise our families, look after our neighbors, and build something better for our grandkids. *We all* do the hard work of keeping Nebraska great.

Growing up, our family would come to Lincoln once a year. My brothers and I were always so excited to be the first one to spot the Capitol as we drove into town. This chamber and this building are amazing. But it's important for us to remember that, as incredible as this building and chamber are, we don't look to this building for prosperity—prosperity comes from private-sector farmers, ranchers, and business leaders who work hard, innovate, and take risks.

We don't look to government for our rights and freedoms—they are endowed to us by God Almighty. And we don't want to be handed anything—we want to earn it.

But we do expect government that does well in those limited functions that only it can perform. We expect low taxes, carefully controlled spending, transparency, and accountability. We expect the business of the people to be handled like business. We expect good schools, quality roads, and safe neighborhoods. We expect a government that promotes opportunity instead

of limiting it. And we expect the leaders we elect to work together to find real solutions to difficult challenges.

Great people want limited government that respects their freedoms, does its job, and then gets out of their way. Great people want the opportunity to succeed through grit and determination. Great people want to live and work around other great people, and they want their children to do the same. That's why great people want to live in Nebraska.

The demand for the Good Life is as strong as ever, but today, we have real obstacles to overcome. Too much of our talent leaves the state. We have to do a better job of keeping our kids here, equipping them with the skills they'll need, and attracting even more top-tier talent from across the nation.

Our broken tax code is burdensome and uncompetitive. It weighs on all Nebraskans, and it limits our state's economic potential. That's why we have to achieve transformational tax change now.

Our state education funding formula is outdated and unfair to far too many of our students. State aid to education must be modernized so that it is more equitable, meeting the needs of communities across Nebraska. All Nebraskans agree: Our kids are our future. All Nebraskans agree: We can never, ever give up on our kids.

These are not easy feats to accomplish, and there will be even more to do this session. The question for us today, in this chamber, is whether we can live up to the example set for us by those we serve—whether we can come together and do the big, difficult things that are required to secure a more prosperous future.

As I look to the members of the 108th Nebraska Legislature, the answer is clear: we *can* do big things by working together. Together, we can.

Together, we can and must build productive working relationships of trust and good will.

Together, we can and must achieve attitudinal change and put our focus not on what's best just for your community, or for mine, but on what's best for the future of our entire state.

And together, we can and must rise to meet any challenge, overcome any obstacle, and do the hard work of keeping Nebraska great for generations to come.

I'm here to do my part: to bring my knowledge and experience to the table, and to listen to all Nebraskans. To advocate for the values and interests of our citizens, from the Missouri River to Harrison and everywhere in between. To hold our cabinet agencies to the highest standards of

performance and continuous improvement. And to treat tax dollars as I treat my own.

My dad taught me that every nickel matters, so we treat nickels like manhole covers, making decisions with fiscal conservatism and the constant drive to do more with less.

I will work hard as a good-faith partner with my fellow constitutional officers, the judiciary, and the Legislature in doing the people's work.

As we embark on a new chapter of Nebraska's history, I want to thank all of you for answering the call to public service. I thank your families, and mine, for providing the support we will all need to do the work that lies ahead this year. I thank our state teammates for all their efforts. I want to thank the brave men and women of our armed forces, law enforcement, and first responders for all they do to keep us safe and free. And, most of all, I want to express my thanks to the people of Nebraska for placing their trust in us. May we always prove worthy of their faith and confidence.

Today, I'm joined in the chamber by my bride, Suzanne, and our incredible family. We're so proud of our children, Sarah, Brock, Polly, and Izic; our son-in-law, Jerod, and daughter-in-law, Sarah; and our seven grandchildren: Will, Halle, Eloise, Henry, Harrison, Ava, and Thomas. They are my inspiration to work every single day to create a brighter future for all Nebraska's children—one grounded in faith, rooted in the values of family and freedom, and abundant in prosperity.

Together, we can make that vision a reality by putting in the work, day by day.

The great Nebraska statesman and my mentor, Coach Tom Osborne, taught me and my teammates that nobody ever just stays the same. Every day, we either decide to put in the effort to get better or we allow ourselves to get worse. We never stay the same. We never stay the same.

Let's all commit to getting better each day, aspiring to the greatest examples of our forefathers. When we do, we will look back on the first session of the 108th Nebraska Legislature with pride for all we've accomplished together.

May God guide all of us in our work, and bless us and our families. And may God continue to bless the great State of Nebraska. Thank you.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 92. Introduced by Slama, 1.

A BILL FOR AN ACT relating to insurance; to amend section 44-1993,

Reissue Revised Statutes of Nebraska; to eliminate the requirement that an annual review of a title insurance agent's practices by a title insurer must be onsite; and to repeal the original section.

LEGISLATIVE BILL 93. Introduced by Slama, 1.

A BILL FOR AN ACT relating to insurance; to amend sections 44-319.02, 44-319.03, 44-319.06, and 44-3308, Reissue Revised Statutes of Nebraska; to change provisions relating to security deposits required to be deposited by insurers with the Department of Insurance; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 94. Introduced by Slama, 1.

A BILL FOR AN ACT relating to the Uniform Commercial Code; to amend sections 1-204, 1-301, 1-306, 2-102, 2-106, 2-201, 2-202, 2-203, 2-205, 2-209, 2A-102, 2A-103, 2A-107, 2A-201, 2A-202, 2A-203, 2A-205, 2A-208, 3-104, 3-105, 3-401, 3-604, 4A-103, 4A-201, 4A-202, 4A-203, 4A-207, 4A-208, 4A-210, 4A-211, 4A-305, 5-104, 5-116, 7-102, 7-106, 8-102, 8-103, 8-106, 8-110, 8-303, 9-104, 9-105, 9-203, 9-204, 9-207, 9-208, 9-209, 9-210, 9-304, 9-305, 9-313, 9-316, 9-317, 9-323, 9-324, 9-330, 9-332, 9-334, 9-341, 9-404, 9-408, 9-509, 9-513, 9-601, 9-605, 9-608, 9-611, 9-613, 9-614, 9-615, 9-616, 9-619, 9-620, 9-621, 9-624, and 9-628, Uniform Commercial Code, Reissue Revised Statutes of Nebraska, and sections 1-201, 9-102, 9-107A, 9-301, 9-310, 9-312, 9-314, 9-331, 9-406, 12-102, 12-103, 12-104, 12-105, 12-106, and 12-107, Uniform Commercial Code, Revised Statutes Cumulative Supplement, 2022; to adopt provisions on controllable electronic records, control of intangible property, controllable accounts, controllable payment intangibles, hybrid transactions, negotiable instruments, transactions involving digital assets, and security interest in digital assets and electronic money; to define, redefine, and eliminate terms; to provide transition rules; to harmonize provisions; to repeal the original sections; to provide an operative date; and to outright repeal sections 12-101A, 12-108, and 12-109, Uniform Commercial Code, Revised Statutes Cumulative Supplement, 2022.

LEGISLATIVE BILL 95. Introduced by Slama, 1.

A BILL FOR AN ACT relating to asbestos; to amend section 25-224, Reissue Revised Statutes of Nebraska; to adopt the Asbestos Trust Claims Transparency Act and the Asbestos Claims Priorities and Claims Legitimacy Act; to change provisions relating to a statute of limitations; and to repeal the original section.

LEGISLATIVE BILL 96. Introduced by Slama, 1.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.36, Revised Statutes Cumulative Supplement, 2022; to provide a sales and use tax exemption for twine as prescribed; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 97. Introduced by Clements, 2.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2015, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to required reports for inheritance tax; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 98. Introduced by Jacobson, 42.

A BILL FOR AN ACT relating to the Community Development Law; to amend sections 18-2109 and 18-2155, Reissue Revised Statutes of Nebraska; to change provisions relating to substandard and blighted declarations and redevelopment plans receiving an expedited review; and to repeal the original sections.

LEGISLATIVE BILL 99. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to schools; to amend section 79-10,137, Reissue Revised Statutes of Nebraska; to adopt the Hunger-Free Schools Act; to restate legislative findings and state legislative intent; to eliminate provisions relating to reimbursement for school breakfast programs; to repeal the original section; and to outright repeal sections 79-10,138 and 79-10,139, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 100. Introduced by Erdman, 47.

A BILL FOR AN ACT relating to the ImagiNE Nebraska Act; to amend section 77-6818, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to qualified locations; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 101. Introduced by Erdman, 47.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-106, Reissue Revised Statutes of Nebraska; to provide for an exemption from the act for certain agricultural operations; to provide for liability; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 102. Introduced by Erdman, 47.

A BILL FOR AN ACT relating to land surveying; to amend sections 15-106, 23-1901, 23-1901.01, 23-1901.02, 23-1908, 23-1911, 39-1311.02, 39-1410, 76-846, 76-1902, 76-2502, 76-2503, 76-2504, 76-2505, 76-2506, 81-8,110, 81-8,110.02, 81-8,110.04, 81-8,110.08, 81-8,110.13, 81-8,110.14, 81-8,113, 81-8,114, 81-8,115, 81-8,117, 81-8,121, 81-8,122, 81-8,122.02, 81-8,124, 81-8,125, 81-1704, 81-1716, 81-1717, 81-1718, 84-407, and 84-413, Reissue Revised Statutes of Nebraska, and sections 81-8,108,

81-8,108.01, 81-8,109, 81-8,110.01, 81-8,111, 81-8,118, 81-8,119.01, 81-8,120, 81-8,122.01, 81-8,123, 81-8,126, 81-8,127, and 81-8,184, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the Nebraska Plane Coordinate System Act and the Land Surveyors Regulation Act; to define and redefine terms; to authorize certain land surveying activities; to provide for requirements, liability, licensure, duties, organizational practice, and disciplinary action as prescribed; to change requirements for the content and filing of land surveys; to change and provide penalties; to change and provide fees; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 103. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to retirement; to amend sections 79-920 and 84-1301, Revised Statutes Cumulative Supplement, 2022; to redefine terms under the School Employees Retirement Act and the State Employees Retirement Act; to change provisions relating to participation in the School Employees Retirement System of the State of Nebraska; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 104. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to retirement; to amend section 23-2301, Reissue Revised Statutes of Nebraska, and sections 24-701, 79-902, 81-2014, and 84-1301, Revised Statutes Cumulative Supplement, 2022; to redefine terms under the County Employees Retirement Act, the Judges Retirement Act, the School Employees Retirement Act, the Nebraska State Patrol Retirement Act, and the State Employees Retirement Act; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 105. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to retirement; to amend section 23-2323.01, Reissue Revised Statutes of Nebraska, and sections 24-701, 24-710.01, 24-710.04, 79-926, 81-2034, and 84-1325, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to applicable military service; to eliminate a term; to harmonize provisions; to repeal the original sections; and to declare an emergency.

COMMITTEE ON COMMITTEES FINAL REPORT

Senator Albrecht offered the following Committee on Committees report:

Agriculture (8)

Tuesday

Halloran (C), Brewer, Hansen, Holdcroft, Hughes, Ibach, Raybould, Riepe

Appropriations (9)

Monday, Tuesday, Wednesday, Thursday, & Friday

Clements (C), Armendariz, Dorn, Dover, Erdman, Lippincott, McDonnell, Vargas, Wishart

Banking, Commerce and Insurance (8)

Monday & Tuesday

Slama (C), Aguilar, Ballard, Bostar, Dungan, Jacobson, Kauth, von Gillern

Business and Labor (7)

Monday

Riepe (C), Blood, Halloran, Hansen, Hunt, Ibach, McKinney

Education (8)

Monday & Tuesday

Murman (C), Albrecht, Briese, Conrad, Linehan, Sanders, Walz, Wayne

General Affairs (8)

Monday

Lowe (C), Brewer, Cavanaugh, J., Day, Hardin, Holdcroft, Hughes, Raybould

Government, Military and Veterans Affairs (8)

Wednesday, Thursday, & Friday

Brewer (C), Aguilar, Conrad, Halloran, Hunt, Lowe, Raybould, Sanders

Health and Human Services (7)

Wednesday, Thursday, & Friday

Hansen (C), Ballard, Cavanaugh, M., Day, Hardin, Riepe, Walz

Judiciary (8)

Wednesday, Thursday, & Friday

Wayne (C), Blood, DeBoer, DeKay, Geist, Holdcroft, Ibach, McKinney

Natural Resources (8)

Wednesday, Thursday, & Friday

Bostelman (C), Brandt, Cavanaugh, J., Fredrickson, Hughes, Jacobson, Moser, Slama

Nebraska Retirement Systems (6)

At call of Chair

McDonnell (C), Clements, Conrad, Hardin, Ibach, Vargas

Revenue (8)

Wednesday, Thursday, & Friday

Linehan (C), Albrecht, Bostar, Briese, Dungan, Kauth, Murman, von Gillern

Transportation and Telecommunications (8)

Monday & Tuesday

Geist (C), Bostelman, Brandt, Cavanaugh, M., DeBoer, DeKay, Fredrickson, Moser

Urban Affairs (7)

Tuesday

McKinney (C), Blood, Cavanaugh, J., Day, Hardin, Hunt, Lowe

Committee on Committees (13)

Albrecht (C)

District 1:Bostar
Bostelman
Moser
SandersDistrict 2:Hunt
Linehan
Vargas
von GillernDistrict 3:Erdman
Jacobson
Lowe (VC)
MurmanEnrollment and Review (1)

Ballard (C)

Reference (9)

Briese (C), Aguilar (VC), Arch, Bostar, Geist, Lowe, Riepe, Slama, Vargas, Clements (nonvoting ex officio)

Rules (6)

Erdman (C), Bostar, DeBoer, Hansen, Ibach, Arch (ex officio)

Executive Board of the Legislative Council (9)

Briese (C), Aguilar (VC), Arch, Bostar, Geist, Lowe, Riepe, Slama, Vargas, Clements (nonvoting ex officio)

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 106. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to offenses; to amend section 28-348, Reissue Revised Statutes of Nebraska, and section 28-101, Revised Statutes Cumulative Supplement, 2022; to prohibit using an electronic communication device or social media to engage in certain conduct with vulnerable adults; to define a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 107. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to offenses; to amend section 28-833, Reissue Revised Statutes of Nebraska, and section 29-4003, Revised Statutes Cumulative Supplement, 2022; to prohibit using an electronic

communication device or social media to engage in certain conduct with minors; to define terms; to require registration under the Sex Offender Registration Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 108. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to provide for allocation of certain appropriations to the Department of Health and Human Services; and to provide for a grant program.

LEGISLATIVE BILL 109. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to counties; to amend section 23-2802, Reissue Revised Statutes of Nebraska; to change provisions relating to county boards of corrections in certain counties; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 110. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-901, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to bail; to provide for a pilot project relating to pretrial risk assessment services; to provide duties for the State Court Administrator; to state intent regarding appropriations; and to repeal the original section.

LEGISLATIVE BILL 111. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to state government; to adopt the Nebraska Volunteer Service Commission Act; to provide an operative date; and to declare an emergency.

LEGISLATIVE BILL 112. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations to the Department of Health and Human Services; and to declare an emergency.

LEGISLATIVE BILL 113. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations to the Department of Economic Development; and to declare an emergency.

LEGISLATIVE BILL 114. Introduced by Vargas, 7; Raybould, 28.

A BILL FOR AN ACT relating to relating to appropriations; to state legislative intent to appropriate money to the Department of Health and

Human Services for evidence-based early intervention home visitation programs.

LEGISLATIVE BILL 115. Introduced by Raybould, 28; DeBoer, 10; Vargas, 7.

A BILL FOR AN ACT relating to family home visits; to adopt the Family Home Visitation Act.

LEGISLATIVE BILL 116. Introduced by Brandt, 32; Briese, 41; Cavanaugh, J., 9; DeKay, 40; Dorn, 30; Halloran, 33; Hardin, 48; Holdcroft, 36; Hughes, 24; Ibach, 44; Lippincott, 34.

A BILL FOR AN ACT relating to the Beginning Farmer Tax Credit Act; to amend sections 77-5205 and 77-5213, Reissue Revised Statutes of Nebraska, and sections 77-5203, 77-5209, and 77-5209.01, Revised Statutes Cumulative Supplement, 2022; to redefine a term; to change a selection criterion for the Beginning Farmer Board; to change provisions relating to beginning farmer or livestock producer qualifications, program participation, and rental agreement review; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 117. Introduced by Brandt, 32.

A BILL FOR AN ACT relating to the Nebraska Meat and Poultry Inspection Law; to amend section 54-1915.02, Reissue Revised Statutes of Nebraska; to change an applicant eligibility standard under the Independent Processor Assistance Program; and to repeal the original section.

LEGISLATIVE BILL 118. Introduced by Brandt, 32; Dorn, 30; Hardin, 48; Holdcroft, 36; Ibach, 44; Lippincott, 34.

A BILL FOR AN ACT relating to the Nebraska Advantage Rural Development Act; to amend sections 77-27,187.02 and 77-27,188, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the application fee and qualifying investment amount for a tax credit; and to repeal the original sections.

LEGISLATIVE BILL 119. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to the Nebraska Broadband Bridge Act; to amend section 86-1302, Revised Statutes Cumulative Supplement, 2022; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 120. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to public power; to eliminate obsolete provisions relating to a Nebraska Power Review Board study of state, regional, and national electric transmission infrastructure; and to outright

repeal sections 70-1029, 70-1030, 70-1031, and 70-1033, Reissue Revised Statutes of Nebraska, and section 70-1032, Revised Statutes Cumulative Supplement, 2022.

COMMITTEE ON COMMITTEES FINAL REPORT

Senator Albrecht reoffered the final Committee on Committees report found in this day's Journal.

Senator Wayne offered the following motion:
Recommit the Committee on Committees Report to Committee on Committees

Senator Wayne withdrew his motion to recommit to committee.

Senator M.Cavanaugh offered the following motion:
Recommit the Committee on Committees Report to Committee on Committees

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 121. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to game and parks; to amend sections 37-912, 37-913, and 37-914, Reissue Revised Statutes of Nebraska; to change provisions relating to the National Trails System Act and the Cowboy Trail Fund; to repeal the Trail Development Assistance Act; to harmonize provisions; to repeal the original sections; and to outright repeal sections 37-1001, 37-1002, 37-1003, 37-1004, 37-1005, 37-1006, 37-1007, and 37-1008, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 122. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to the One-Call Notification System Act; to amend section 81-502.03, Reissue Revised Statutes of Nebraska, and sections 76-2301, 76-2303, and 76-2325, Revised Statutes Cumulative Supplement, 2022; to define a term; to create the Underground Excavation Safety Committee; to provide powers and duties for the committee and the State Fire Marshal; to change civil penalty procedures; to provide for continuing education as prescribed; to provide an appeal exception; to eliminate an annual report requirement; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal section 76-2325.02, Revised Statutes Cumulative Supplement, 2022.

LEGISLATIVE BILL 123. Introduced by Fredrickson, 20.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 38-101, 38-121, 38-129.02, 38-131, 38-167, and 38-186, Revised Statutes Cumulative Supplement, 2022; to adopt the Behavior Analyst Practice Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 124. Introduced by Moser, 22.

A BILL FOR AN ACT relating to the County Bridge Match Program; to amend section 39-2805, Reissue Revised Statutes of Nebraska; to change the termination date; to eliminate obsolete provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 125. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to irrigation districts; to amend section 46-1,164, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the Surface Water Irrigation Infrastructure Fund; and to repeal the original section.

LEGISLATIVE BILL 126. Introduced by Day, 49.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-3506, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to homestead exemptions for certain disabled veterans and surviving spouses as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 127. Introduced by Day, 49; McKinney, 11.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-105.02, Reissue Revised Statutes of Nebraska, and section 29-2204, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to sentences for certain offenses committed by persons under eighteen years of age; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 128. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations for certain medicaid services; and to declare an emergency.

LEGISLATIVE BILL 129. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations for medicaid nursing facilities and reports by the Department of Health and Human Services regarding appropriations for medicaid nursing facilities.

LEGISLATIVE BILL 130. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to create the medicaid nursing facility services program.

LEGISLATIVE BILL 131. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations for medicaid assisted-living facilities to the Department of Health and Human Services.

LEGISLATIVE BILL 132. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to commerce; to adopt the Automatic Renewal Limitation Act.

LEGISLATIVE BILL 133. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend section 84-1409, Revised Statutes Cumulative Supplement, 2022; to redefine a term; to provide that entities exercising the power of eminent domain are public bodies subject to the Open Meetings Act; and to repeal the original section.

LEGISLATIVE BILL 134. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Small Wireless Facilities Deployment Act; to amend section 86-1236, Revised Statutes Cumulative Supplement, 2022; to provide duties for an authority and requirements for a wireless provider as prescribed; and to repeal the original section.

LEGISLATIVE BILL 135. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to juveniles; to prohibit use of deception in questioning juveniles; to prohibit admission of certain evidence; and to define terms.

LEGISLATIVE BILL 136. Introduced by Geist, 25.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-172, 60-3,205, and 60-4,146.01, Reissue Revised Statutes of Nebraska, and sections 60-144, 60-146, and 60-149, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the Motor Vehicle Certificate of Title Act, the Motor Vehicle Registration Act, and the Motor Vehicle Operator's License Act as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 137. Introduced by Geist, 25.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend section 28-416, Revised Statutes Cumulative Supplement, 2022;

to provide for a penalty enhancement for a controlled substances violation resulting in serious bodily injury or death; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 138. Introduced by Geist, 25.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-4,142 and 60-4,172, Reissue Revised Statutes of Nebraska, and sections 60-107, 60-119.01, 60-169, 60-302.01, 60-336.01, 60-386, 60-3,113.04, 60-3,193.01, 60-462.01, 60-479.01, 60-4,111.01, 60-4,132, 60-4,134, 60-4,138, 60-4,147.02, 60-4,168, 60-501, 60-628.01, 60-6,265, 60-2705, 60-2909.01, 75-363, 75-364, 75-366, 75-369.03, 75-392, and 75-393, Revised Statutes Cumulative Supplement, 2022; to adopt updates to federal law and update certain federal references; to change provisions of the Motor Vehicle Operator's License Act as prescribed; to change certain civil penalties; and to repeal the original sections.

LEGISLATIVE BILL 139. Introduced by Brandt, 32.

A BILL FOR AN ACT relating to Small Claims Court; to amend section 25-2802, Reissue Revised Statutes of Nebraska; to change the jurisdictional amount; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 140. Introduced by Brandt, 32.

A BILL FOR AN ACT relating to motor vehicle registration; to amend sections 60-301, 60-393, 60-395, 60-396, 60-3,104, and 60-3,130.04, Reissue Revised Statutes of Nebraska; to provide for Czech Heritage Plates; to provide powers and duties; to harmonize provisions; to provide operative dates; and to repeal the original sections.

LEGISLATIVE BILL 141. Introduced by Briese, 41.

A BILL FOR AN ACT relating to schools; to provide for a moment of silence in public schools as prescribed; and to provide a duty to the State Department of Education.

LEGISLATIVE BILL 142. Introduced by Briese, 41.

A BILL FOR AN ACT relating to insurance; to limit the cost of prescription insulin drugs.

LEGISLATIVE BILL 143. Introduced by Briese, 41; Ballard, 21; Bostar, 29; Brandt, 32; Brewer, 43; DeBoer, 10; Dorn, 30; Dungan, 26; Hansen, B., 16; Hunt, 8; Linehan, 39; Lowe, 37; Slama, 1; Wayne, 13.

A BILL FOR AN ACT relating to time; to amend sections 49-1301, 49-1302, and 81-1323, Reissue Revised Statutes of Nebraska, and sections

32-908 and 81-1328, Revised Statutes Cumulative Supplement, 2022; to provide for year-round daylight saving time as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 144. Introduced by Brandt, 32.

A BILL FOR AN ACT relating to the State Electrical Act; to amend sections 81-2112, 81-2114, 81-2117.02, 81-2119, 81-2126, 81-2132, and 81-2141, Reissue Revised Statutes of Nebraska, and sections 81-2102, 81-2106, 81-2107, 81-2108, 81-2113, 81-2117.01, 81-2118, and 81-2144, Revised Statutes Cumulative Supplement, 2022; to change and eliminate certain classes of licenses under the State Electrical Act; to change provisions related to eligibility for licensure, continuing education, and training; to change fees; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal section 81-2110, Revised Statutes Cumulative Supplement, 2022.

LEGISLATIVE BILL 145. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to insurance; to amend section 44-785, Reissue Revised Statutes of Nebraska; to change provisions relating to coverage for screening mammography and breast examinations; and to repeal the original section.

RESOLUTIONS

LEGISLATIVE RESOLUTION 8. Introduced by DeKay, 40.

WHEREAS, the 2022 Nebraska School Activities Association State Volleyball Championships were held from November 2 through November 5 in Lincoln, Nebraska; and

WHEREAS, the Hartington Cedar Catholic Trojans volleyball team competed for the Class D-1 State Volleyball Championship; and

WHEREAS, the seventh seed Trojans prevailed over the first seed Norfolk Catholic Knights in five sets to win the final match and claim the Class D-1 State Volleyball Championship; and

WHEREAS, this is the third state volleyball championship won by the Trojans and the first since 2012; and

WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Hartington Cedar Catholic Trojans volleyball team on winning the 2022 Nebraska School Activities Association Class D-1 State Volleyball Championship.

2. That copies of this resolution be sent to the Hartington Cedar Catholic Trojans volleyball team and Coach Denae Buss.

Laid over.

LEGISLATIVE RESOLUTION 9. Introduced by DeKay, 40.

WHEREAS, the 2022 Nebraska School Activities Association State Cross Country Championships were held on October 21 in Kearney, Nebraska; and

WHEREAS, Carson Noecker, a senior on the Hartington-Newcastle boys cross country team, placed first overall in the Class C State Cross Country Championship with a time of 14 minutes and 58.26 seconds; and

WHEREAS, Carson Noecker's performance set a new all-class state meet record; and

WHEREAS, Carson Noecker became the first boy in Nebraska high school cross country history to win four consecutive state cross country championships; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates Carson Noecker for winning the 2022 Nebraska School Activities Association Class C State Cross Country Championship and becoming the first boy in Nebraska high school cross country history to win four consecutive state cross country championships.

2. That copies of this resolution be sent to Carson Noecker and Hartington-Newcastle head cross country coach Mandy Hochstein.

Laid over.

LEGISLATIVE RESOLUTION 10. Introduced by DeKay, 40.

WHEREAS, Kayla Key of Creighton, Nebraska, a member of Norfolk Boy Scout Troop 1119 and daughter of Josh and Corrie Key, completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Throughout their scouting experience, these young men and women have learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn twenty-one merit badges, thirteen of which are in required areas, and complete an approved community service project; and

WHEREAS, for Kayla's community service project she promoted respect for the American flag in her community by advocating for the purchase of a light illuminating the American flag at Creighton Community Public Schools, teaching fourth through sixth grade students about flag etiquette,

and collaborating with the local Veterans of Foreign Wars post to create and hold a flag retirement ceremony; and

WHEREAS, Kayla joined Alexandra Jensen in becoming the first female Eagle Scouts in the Diamond Dick District of the Boy Scouts of America Mid-America Council; and

WHEREAS, Kayla, through her hard work and perseverance, has joined other high achievers who are Eagle Scouts, including astronauts, leaders of government and industry, artists, scientists, and athletes.

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

1. That the Legislature congratulates Kayla Key on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to Kayla Key.

Laid over.

LEGISLATIVE RESOLUTION 11. Introduced by DeKay, 40.

WHEREAS, the 2022 Nebraska School Activities Association State Play Production Championships were held from December 7 through December 9 in Norfolk, Nebraska; and

WHEREAS, the Hartington-Newcastle High School one-act team competed for the Class C-2 State Play Production Championship; and

WHEREAS, under the guidance of directors A. J. Johnson, Linda Kathol, and Lindsay Stappert, the Hartington-Newcastle High School one-act team earned a first place finish with a score of one hundred eighty points for their production of *Ug, the Caveman Musical*; and

WHEREAS, this is the tenth such championship title for the Hartington-Newcastle High School one-act team; and

WHEREAS, Lane Heimes won the award for Outstanding Male Performer with his performance as *Ug*; and

WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Hartington-Newcastle High School one-act team on winning the 2022 Nebraska School Activities Association Class C-2 State Play Production Championship.

2. That copies of this resolution be sent to the Hartington-Newcastle High School one-act team, Lane Heimes, A. J. Johnson, Linda Kathol, and Lindsay Stappert.

Laid over.

LEGISLATIVE RESOLUTION 12. Introduced by DeKay, 40.

WHEREAS, the 2022 Nebraska School Activities Association State Play Production Championships were held from December 7 through December 9 in Norfolk, Nebraska; and

WHEREAS, the Wausa High School one-act team competed for the Class D-1 State Play Production Championship; and

WHEREAS, under the guidance of directors Brad Hoelsing and Sheila Hoelsing, the Wausa High School one-act team earned a first place finish with a score of one hundred seventy-nine points for their production of Wonderland 2.0; and

WHEREAS, this is the twelfth such championship title for the Wausa High School one-act team and the first championship win since 2017 as a stand-alone team. Wausa High School also holds two championship titles and one runner-up title with Osmond High School as the Wausmond one-act team; and

WHEREAS, Holly Johnson won the award for Outstanding Female Performer with her performance as White Rabbit; and

WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Wausa High School one-act team on winning the 2022 Nebraska School Activities Association Class D-1 State Play Production Championship.

2. That copies of this resolution be sent to the Wausa High School one-act team, Holly Johnson, Brad Hoelsing, and Sheila Hoelsing.

Laid over.

LEGISLATIVE RESOLUTION 13. Introduced by DeKay, 40; Aguilar, 35; Albrecht, 17; Arch, 14; Armendariz, 18; Ballard, 21; Blood, 3; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Conrad, 46; Day, 49; DeBoer, 10; Dorn, 30; Dover, 19; Dungan, 26; Erdman, 47; Fredrickson, 20; Geist, 25; Halloran, 33; Hansen, B., 16; Hardin, 48; Holdcroft, 36; Hughes, 24; Hunt, 8; Ibach, 44; Jacobson, 42; Kauth, 31; Linehan, 39; Lippincott, 34; Lowe, 37; McDonnell, 5; McKinney, 11; Moser, 22; Murman, 38; Raybould, 28; Riepe, 12; Sanders, 45; Slama, 1; Vargas, 7; von Gillern, 4; Walz, 15; Wayne, 13; Wishart, 27.

WHEREAS, Gary, Gregory, and Kelly Sage were born to Ernest and Eunice (Cornish) Sage of Niobrara, Nebraska; and

WHEREAS, the Sage brothers enlisted in the United States Navy and requested they be stationed aboard the same ship together, the Allen M. Sumner class destroyer USS Frank E. Evans; and

WHEREAS, the Sage brothers and the crew of the USS Frank E. Evans admirably performed their duties when the ship was assigned to provide naval gunfire support for American forces during Operation Daring Rebel along the coast of Vietnam in early May of 1969; and

WHEREAS, the USS Frank E. Evans was ordered to operate with a multinational Southeast Asia Treaty Organization task force of forty ships in the South China Sea for joint naval exercise Operation Sea Spirit. Sea Spirit was one of the largest naval exercises in the history of the Southeast Asia Treaty Organization and served as a show of force demonstration towards North Vietnam and its allies operating in the region; and

WHEREAS, the USS Frank E. Evans was assigned to screen a multinational task force led by the Australian aircraft carrier HMAS Melbourne. Whilst taking up a new escort station, the USS Frank E. Evans was accidentally rammed and split in two by the HMAS Melbourne on June 3, 1969. At the time of the accident, the task force was sailing on base course 220 degrees. The actual coordinates of the collision occurred at latitude 08 degrees 59.2 north and longitude 110 degrees 47.7 east and corresponds to a position less than 200 miles southeast of the Vietnam mainland; and

WHEREAS, Boatswain's Mate 2nd Class Gary Sage, Radarman 3rd Class Gregory Sage, and Seaman Apprentice Kelly Sage were among the seventy-four sailors killed in this tragic accident. In performing their duties aboard the USS Frank E. Evans, the lost seventy-four answered the call to the colors, served in the finest traditions of the United States Navy, and sacrificed their lives so that future generations of Americans might continue to enjoy the fruits of freedom; and

WHEREAS, multiple unsuccessful efforts have been made to include the names of the seventy-four sailors on the Vietnam Veterans Memorial Wall in the District of Columbia; and

WHEREAS, the Ninety-First Legislature recognized that the Sage brothers served our country honorably during the Vietnam War and deserved to have their names listed on the Vietnam Veterans Memorial Wall; and

WHEREAS, the criteria for the Vietnam Service Medal and the criteria for the inclusion of names on the Vietnam Veterans Memorial Wall are similar. The USS Frank E. Evans was awarded the Vietnam Service Medal for the collision date along with the ships that came to its aid, including the aircraft carrier USS Kearsarge, destroyer USS Walke, destroyer USS James E. Keyes, and tug USS Tawasa. The ships, the men aboard the ships, and the sailors killed on the USS Frank E. Evans received the Vietnam Service Medal because of where they were and why; and

WHEREAS, it is appropriate for the Legislature to honor and respect the sacrifices of our military servicemen and servicewomen, as well as the families, organizations, and communities that support them.

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

1. That the Legislature supports action to include the names of the Sage brothers and the other seventy-one sailors of the USS Frank E. Evans killed on June 3, 1969, on the Vietnam Veterans Memorial Wall in the District of Columbia.

2. That a copy of this resolution be forwarded to each member of the Nebraska congressional delegation encouraging them to take action to see that the names of those killed on the USS Frank E. Evans be included on the Vietnam Veterans Memorial Wall.

Laid over.

LEGISLATIVE RESOLUTION 14CA. Introduced by Briese, 41.

THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2024, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To add a new section 12 to Article XVII:

XVII-12 The Governor, Lieutenant Governor, Secretary of State, State Treasurer, Attorney General, or Auditor of Public Accounts or any member of the Legislature may be recalled from office through the procedure and in the manner provided for by law. The procedure shall be known as recall and shall be in addition to any other method of removal from office provided by this Constitution.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to provide for recall of the Governor, Lieutenant Governor, Secretary of State, State Treasurer, Attorney General, or Auditor of Public Accounts and members of the Legislature as provided by law.

For

Against.

UNANIMOUS CONSENT - Add Cointroducers

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

Senator Raybould name added to LB15.

Senator Day name added to LB39.

VISITOR

The Doctor of the Day was Dr. George Voigtlander of Lincoln.

ADJOURNMENT

At 11:39 a.m., on a motion by Speaker Arch, the Legislature adjourned until 10:00 a.m., Monday, January 9, 2023.

Brandon Metzler
Clerk of the Legislature

