

FORTIETH DAY - MARCH 7, 2023**LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION****FORTIETH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 7, 2023

PRAYER

The prayer was offered by Senator Dorn.

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., President Kelly presiding.

The roll was called and all members were present except Senators Aguilar, Murman, and Raybould who were excused; and Senators Blood, Bostar, Clements, Day, Geist, B. Hansen, Walz, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 684, line 2, strike "Ann" and insert "Janet".
The Journal for the thirty-ninth day was approved as corrected.

COMMITTEE REPORT

General Affairs

LEGISLATIVE BILL 452. Placed on General File with amendment.

AM710

1 I. Strike original section 1 and insert the following new section:
2 Section 1. Section 53-123.16, Revised Statutes Cumulative
3 Supplement, 2022, is amended to read:
4 53-123.16 (1) Any person who operates a microdistillery shall
5 obtain a license pursuant to the Nebraska Liquor Control Act. A license
6 to operate a microdistillery shall permit the licensee to produce a
7 maximum of one hundred thousand gallons of liquor per year in the
8 aggregate from all physical locations comprising the licensed premises.
9 For purposes of this section, licensed premises may include up to five

10 separate physical locations. A microdistillery may also sell to licensed
 11 wholesalers for sale and distribution to licensed retailers. A
 12 microdistillery license issued pursuant to this section shall be the only
 13 license required by the Nebraska Liquor Control Act for the manufacture
 14 and retail sale of microdistilled product for consumption on or off the
 15 licensed premises, except that the sale of any beer, wine, or alcoholic
 16 liquor, other than microdistilled product manufactured by the
 17 microdistillery licensee, by the drink for consumption on the
 18 microdistillery premises shall require the appropriate retail license.
 19 Any license held by the operator of a microdistillery shall be subject to
 20 the act. A holder of a microdistillery license may obtain an annual
 21 catering license pursuant to section 53-124.12, a special designated
 22 license pursuant to section 53-124.11, an entertainment district license
 23 pursuant to section 53-123.17, or a promotional farmers market special
 24 designated license pursuant to section 53-124.16. The commission may,
 25 upon the conditions it determines, grant to any microdistillery licensed
 26 under this section a special license authorizing the microdistillery to
 27 purchase and to import, from such persons as are entitled to sell the
 1 same, wines or spirits to be used solely as ingredients and for the sole
 2 purpose of blending with and flavoring microdistillery products as a part
 3 of the microdistillation process.
 4 (2) A holder of a microdistillery license may directly sell for
 5 resale up to five hundred gallons per calendar year of microdistilled
 6 product produced at its licensed premises directly to retail licensees
 7 located in the State of Nebraska which hold the appropriate retail
 8 license if the holder of the microdistillery license:
 9 (a) Self-distributes its microdistilled product utilizing only
 10 persons employed by the microdistillery licensee; and
 11 (b) Complies with all relevant statutes, rules, and regulations that
 12 apply to Nebraska wholesalers regarding distribution of microdistilled
 13 products.
 14 (3) A holder of a microdistillery license may store and warehouse
 15 tax-paid products produced on such licensee's licensed premises in a
 16 designated, secure, offsite storage facility if the holder of the
 17 microdistillery license receives authorization from the commission and
 18 notifies the commission of the location of the storage facility and
 19 maintains, at the microdistillery and at the storage facility, a separate
 20 perpetual inventory of the product stored at the storage facility.
 21 Consumption of alcoholic liquor at the storage facility is strictly
 22 prohibited.
 23 (4) The commission may adopt and promulgate rules and regulations
 24 relating to the distribution rights of microdistillery licensees.

(Signed) John Lowe, Chairperson

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

Wednesday, March 15, 2023
 LR4CA
 LB764
 LB541
 LB364

Room 1507 1:30 PM

Thursday, March 16, 2023
LB742
LB604
LB365

(Signed) Tom Brewer, Chairperson

AMENDMENTS - Print in Journal

Senator J. Cavanaugh filed the following amendment to LB277:
[AM638](#)

- 1 1. Strike sections 1 to 5 and 8 and insert the following new
- 2 section:
- 3 Sec. 3. This act becomes operative on July 1, 2024.
- 4 2. Renumber the remaining sections accordingly.

Senator J. Cavanaugh filed the following amendment to LB277:
[AM637](#)

- 1 1. On page 3, line 6, strike "Notwithstanding any other provision of
- 2 law" and insert "Except as provided in subsection (2) of section 5 of
- 3 this act".
- 4 2. On page 4, line 2, strike "The" and insert "(1) Except as
- 5 provided in subsection (2) of this section, the"; and after line 5 insert
- 6 the following new subsection:
- 7 "(2) The First Freedom Act shall not apply to:
- 8 (a) Any provision of law or the implementation of a law that
- 9 provides for or requires:
- 10 (i) Protections against discrimination or the promotion of equal
- 11 opportunity, including the Age Discrimination in Employment Act, the
- 12 Nebraska Fair Employment Practice Act, and the Nebraska Fair Housing Act,
- 13 and implementation of the federal Americans with Disabilities Act of
- 14 1990;
- 15 (ii) Employers to provide wages, other compensation, or benefits,
- 16 including leave, or standards protecting collective activity in the
- 17 workplace;
- 18 (iii) Protections against child labor, abuse, or exploitation; or
- 19 (iv) Access to, information about, referral for, provision of, or
- 20 coverage for, any health care item or service;
- 21 (b) Any term of a government contract, grant, cooperative agreement,
- 22 or other award that requires goods, services, functions, or activities to
- 23 be performed for or provided to beneficiaries or participants in a
- 24 program or activity funded by such government contract, grant,
- 25 cooperative agreement, or other award; or
- 26 (c) Any good, service, benefit, facility, privilege, advantage, or
- 27 accommodation provided by the government to the extent that the
- 1 application of the First Freedom Act would result in denying a person the
- 2 full and equal enjoyment of such good, service, benefit, facility,
- 3 privilege, advantage, or accommodation.".

Senator Brewer filed the following amendment to LB256:
[AM681](#)

- 1 1. On page 3, strike lines 10 and 11 and insert the following new
- 2 subsection:
- 3 "(4) Except as otherwise provided in section 44-793, the

4 reimbursement rate for any telehealth service shall, at a minimum, be the
 5 same as a comparable in-person health care service if the licensed
 6 provider providing the telehealth service also provides in-person health
 7 care services at a physical location in Nebraska or is employed by or
 8 holds medical staff privileges at a licensed facility in Nebraska and
 9 such facility provides in-person health care services in Nebraska."

RESOLUTION

Pursuant to Rule 4, Sec. 5(b), LR 49 was adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR 49.

GENERAL FILE

LEGISLATIVE BILL 753. Committee [AM338](#), found on page 492 and considered on page 684, was renewed.

Senator J. Cavanaugh renewed [AM353](#), found on page 498 and considered on page 684, to the committee amendment.

Senator M. Cavanaugh moved the previous question. The question is, "Shall the debate now close?"

Senator Slama moved for a call of the house. The motion prevailed with 14 ayes, 0 nays, and 35 not voting.

Senator Slama requested a roll call vote, in reverse order, on the motion to cease debate.

Voting in the affirmative, 12:

Cavanaugh, J.	Day	Fredrickson	Vargas
Cavanaugh, M.	DeBoer	Hunt	Walz
Conrad	Dungan	McKinney	Wishart

Voting in the negative, 29:

Albrecht	Brewer	Halloran	Jacobson	Moser
Arch	Clements	Hansen	Kauth	Riepe
Armendariz	DeKay	Hardin	Linehan	Sanders
Ballard	Dorn	Holdercroft	Lippincott	Slama
Bostelman	Dover	Hughes	Lowe	von Gillern
Brandt	Geist	Ibach	McDonnell	

Absent and not voting, 1:

Erdman

Excused and not voting, 7:

Aguilar	Bostar	Murman	Wayne
Blood	Briese	Raybould	

The motion to cease debate failed with 12 ayes, 29 nays, 1 absent and not voting, and 7 excused and not voting.

The Chair declared the call raised.

Pending.

COMMITTEE REPORTS

Government, Military and Veterans Affairs

LEGISLATIVE BILL 650. Placed on General File.

LEGISLATIVE BILL 297. Placed on General File with amendment.

[AM633](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 84-920, Revised Statutes Cumulative Supplement,
4 2022, is amended to read:
5 84-920 Sections 84-901 to 84-920 and the Occupational Board Reform
6 Act and the Personal Privacy Protection Act shall be known and may be
7 cited as the Administrative Procedure Act.
8 Sec. 2. Sections 2 to 5 of this act shall be known and may be cited
9 as the Personal Privacy Protection Act.
10 Sec. 3. For purposes of the Personal Privacy Protection Act:
11 (1) Nonprofit organization means a nonprofit organization holding a
12 certificate of exemption under section 501(c) of the Internal Revenue
13 Code;
14 (2) Person means any individual, partnership, limited liability
15 company, corporation, association, firm, or agent or employee of any such
16 individual or business entity;
17 (3) Personal information means any list, record, register, registry,
18 roll, roster, or other compilation of data that directly or indirectly
19 identifies a person as a member, supporter, or volunteer of, or donor of
20 financial or nonfinancial support to, any nonprofit organization; and
21 (4) Public agency means any state or local governmental unit,
22 including, but not limited to:
23 (a) The State of Nebraska;
24 (b) Any agency, department, division, office, commission, board,
25 bureau, committee, council, or other entity of the state;
26 (c) The University of Nebraska or any state college;
27 (d) Any political subdivision of the state, including, but not
1 limited to, any county, city, village, township, school district,
2 community college area, public power district, rural fire district, or
3 other local governmental unit, or agency, authority, council, board, or
4 commission thereof;
5 (e) Any state or local court, tribunal, or other judicial or quasi-
6 judicial body; or
7 (f) Any public corporation whose primary function is to act as an
8 instrumentality or agency of the state or of any other public agency.
9 Sec. 4. (1) Notwithstanding any provision of law to the contrary,
10 and except as otherwise provided in this section, each public agency is

11 prohibited from:
12 (a) Requiring any individual to provide personal information or
13 otherwise compelling the release of personal information;
14 (b) Requiring any nonprofit organization to provide such public
15 agency with personal information or otherwise compelling the release of
16 personal information;
17 (c) Publicizing, or otherwise publicly disclosing personal
18 information in the possession of such public agency without the express
19 permission of every individual who is identifiable from the potential
20 release of such personal information, including individuals identifiable
21 as members, supporters, or volunteers of, or donors to, a nonprofit
22 organization; or
23 (d) Requesting or requiring a current or prospective contractor or
24 grantee to provide such public agency with a list of nonprofit
25 organizations to which such contractor or grantee has provided financial
26 or nonfinancial support.
27 (2) Personal information is exempt from disclosure under public
28 records laws, including, but not limited to, sections 84-712 to 84-712.09
29 and section 84-1413.
30 (3) This section does not prohibit:
31 (a) Any report or disclosure required by the Nebraska Political
1 Accountability and Disclosure Act;
2 (b) Any report or disclosure by a public agency regarding testimony
3 received at a public hearing conducted by such public agency;
4 (c) Any lawful warrant, subpoena, or order issued by a court of
5 competent jurisdiction for the production of personal information;
6 (d) Any lawful request for discovery of personal information in
7 litigation if both of the following conditions are met:
8 (i) The requestor demonstrates a compelling need for such personal
9 information by clear and convincing evidence; and
10 (ii) The requestor obtains an order barring disclosure of such
11 personal information to any person not named in the litigation;
12 (e) Admission of personal information as relevant evidence before a
13 court of competent jurisdiction. However, no court shall publicly reveal
14 personal information absent a specific finding of good cause;
15 (f) Any report or disclosure required by state or federal law or
16 regulation for an employee of the University of Nebraska or any state
17 college. Except as otherwise required by law, no such report or
18 disclosure shall be subject to release under the state public records
19 laws;
20 (g) Any report or disclosure required by conflict of interest,
21 conflict of commitment, or outside income policies for an employee or
22 contractor of the University of Nebraska or any state college. Except as
23 otherwise required by law, no such report or disclosure shall be subject
24 to release under the state public records laws;
25 (h) Any document required or permitted to be filed with the
26 Secretary of State disclosing the identity of any director, officer,
27 incorporator, or registered agent of a nonprofit organization;
28 (i)(A) The Auditor of Public Accounts from accessing personal
29 information during an examination undertaken pursuant to express
30 statutory authority. The auditor may publicly disclose personal
31 information obtained during such examination only if that information:
1 (I) Pertains specifically to a person who has violated or is alleged
2 to have violated a state or federal law, rule, or regulation or an
3 ordinance of a city or village; or
4 (II) Pertains to a person directly associated with a violation
5 described in subdivision (3)(i)(A)(I) of this section.
6 (B) This subdivision (3)(i) shall be strictly construed and only
7 authorizes disclosure of a person who meets the criteria described in
8 subdivision (3)(i)(A) of this section.
9 (C) All other personal information accessed by the Auditor of Public
10 Accounts shall be subject to the restrictions on working papers contained
11 in section 84-311;
12 (j) Any request for information required by the Uniform

13 Credentialing Act or Health Care Facility Licensure Act or by a federal
 14 funding agency;
 15 (k) A request for information required for a criminal history record
 16 information check undertaken pursuant to express statutory authority,
 17 except that such information shall only be used in connection with the
 18 specific criminal history record information check and for any related
 19 proceedings; or
 20 (l) Subject to compliance with section 8-112, any request for, or
 21 release of, information, a record, or a report, obtained by the
 22 Department of Banking and Finance from a nonprofit organization.
 23 Sec. 5. Any person aggrieved by a violation of the Personal Privacy
 24 Protection Act may bring a civil action for appropriate relief.
 25 Appropriate relief includes:
 26 (1) The greater of actual damages or two thousand five hundred
 27 dollars in liquidated damages per violation; and
 28 (2) Such preliminary and other equitable or declaratory relief as
 29 may be appropriate.
 30 Sec. 6. This act becomes operative on January 1, 2024.
 31 Sec. 7. If any section in this act or any part of any section is
 1 declared invalid or unconstitutional, the declaration shall not affect
 2 the validity or constitutionality of the remaining portions.
 3 Sec. 8. Original section 84-920, Revised Statutes Cumulative
 4 Supplement, 2022, is repealed.

(Signed) Tom Brewer, Chairperson

General Affairs

LEGISLATIVE BILL 775. Placed on General File with amendment.
[AM709](#) is available in the Bill Room.

(Signed) John Lowe, Chairperson

Urban Affairs

LEGISLATIVE BILL 45. Placed on General File.
LEGISLATIVE BILL 224. Placed on General File.
LEGISLATIVE BILL 707. Placed on General File.

(Signed) Terrell McKinney, Chairperson

BILL ON FIRST READING

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

LEGISLATIVE BILL 250A. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 250, One Hundred Eighth Legislature, First Session, 2023.

RESOLUTION

LEGISLATIVE RESOLUTION 55. Introduced by Brewer, 43.

WHEREAS, Jerry Adams is a major principal of Adams Land & Cattle, LLC, one of the premiere cattle feeding operations in the world; and

WHEREAS, Adams Land & Cattle, LLC, has one of the largest cattle research and development facilities in the world and uses innovation, tools, and devices on the cutting edge of cattle research and development; and

WHEREAS, Adams Land & Cattle, LLC, provides consistent and quality beef while utilizing best practices to ensure food safety, animal welfare, and environmental stewardship; and

WHEREAS, Adams Land & Cattle, LLC, is committed to a successful workplace, the safety and well-being of its animals, investing in advanced technology, and the continued education of its employees; and

WHEREAS, Adams Land & Cattle, LLC, provides employment opportunities in many communities of Nebraska; and

WHEREAS, Jerry Adams of Adams Land & Cattle, LLC, was inducted into the Cattle Feeders Hall of Fame on January 31, 2023, in New Orleans, Louisiana, for his commitment and lasting contributions to the cattle feeding industry.

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

1. That the Legislature congratulates Jerry Adams of Adams Land & Cattle, LLC, on being inducted into the Cattle Feeders Hall of Fame.

2. That copies of this resolution be sent to Adams Land & Cattle, LLC, and Jerry Adams.

Laid over.

AMENDMENT - Print in Journal

Senator Linehan filed the following amendment to [LB298](#):

[AM657](#)

1 1. On page 2, strike lines 6 through 12 and insert the following new
2 subdivisions:

3 "(a) Tested for a specific learning disability in the area of
4 reading, including tests that identify characteristics of dyslexia and
5 the results of such tests;

6 (b) Identified as having a reading issue, including dyslexia,
7 pursuant to the assessment administered under the Nebraska Reading
8 Improvement Act; and

9 (c) Identified as described in subdivision (b) of this subsection
10 that have shown growth on the measure used to identify the reading
11 issue."

ANNOUNCEMENT

Priority designations received:

Government, Military and Veterans Affairs - LB514 and LB535

GENERAL FILE

LEGISLATIVE BILL 753. Committee [AM338](#), found on page 492 and considered on page 684 and in this day's Journal, was renewed.

Senator J. Cavanaugh renewed [AM353](#), found on page 498 and considered on page 684 and in this day's Journal, to the committee amendment.

The J. Cavanaugh amendment was withdrawn.

Senator Hunt offered [AM507](#), found on page 595, to the committee amendment.

Pending.

COMMITTEE REPORTS

Health and Human Services

LEGISLATIVE BILL 431. Placed on General File.

LEGISLATIVE BILL 765. Placed on General File.

LEGISLATIVE BILL 276. Placed on General File with amendment.

[AM674](#)

- 1 1. Insert the following new section:
- 2 Sec. 7. It is the intent of the Legislature to appropriate no more
- 3 than four million five hundred thousand dollars annually beginning in
- 4 fiscal year 2025-26 from the General Fund for the purpose of the
- 5 Certified Community Behavioral Health Clinic Act.
- 6 2. On page 2, line 6, strike "6" and insert "7".
- 7 3. Renumber the remaining sections accordingly.

LEGISLATIVE BILL 402. Placed on General File with amendment.

[AM392](#)

- 1 1. On page 2, line 10, strike "provides only social work services"
- 2 and insert "engages only in social work practice as defined in section
- 3 38-2119".

LEGISLATIVE BILL 590. Placed on General File with amendment.

[AM725](#)

- 1 1. On page 2, line 4, strike "at" and show as stricken; in line 5
- 2 strike "least" and show as stricken and strike "one hundred" and insert
- 3 "seventy-five".

(Signed) Ben Hansen, Chairperson

Enrollment and Review

LEGISLATIVE BILL 77. Placed on Select File with amendment.

[ER12](#)

- 1 1. On page 1, line 2, after "18-1703," insert "28-1205,"; in line 4
- 2 after "28-1351," insert "28-1354,"; and in line 10 after the second
- 3 semicolon insert "to create the offense of carrying a firearm or
- 4 destructive device during the commission of a dangerous misdemeanor";
- 5 2. On page 30, line 2, after "18-1703," insert "28-1205,"; and in
- 6 line 5 after "28-1351," insert "28-1354,".

LEGISLATIVE BILL 278A. Placed on Select File.

LEGISLATIVE BILL 298A. Placed on Select File.

(Signed) Beau Ballard, Chairperson

NOTICE OF COMMITTEE HEARING

Education

Room 1525 1:30 PM

Tuesday, March 14, 2023

Jerald Meyer - Board of Educational Lands and Funds

Joshua P. Fields - Technical Advisory Committee for Statewide Assessment

Courtney C. Wittstruck - Nebraska Educational Telecommunications
Commission

Tamara D. Weber - Coordinating Commission for Postsecondary Education

Robert H. Kobza - Board of Educational Lands and Funds

Carter Peterson - Board of Trustees of the Nebraska State Colleges

Adolfo Reynaga - Board of Trustees of the Nebraska State Colleges

LB627

LB478

LB518

(Signed) Dave Murman, Chairperson

AMENDMENTS - Print in Journal

Senator Linehan filed the following amendment to LB692:

AM727

1 1. Strike the original sections and insert the following new

2 sections:

3 Section 1. Sections 1 to 6 of this act shall be known and may be

4 cited as the Good Life Transformational Projects Act.

5 Sec. 2. (1) The purpose of the Good Life Transformational Projects

6 Act is to promote and develop the general and economic welfare of this

7 state and its communities by providing support for unique Nebraska

8 projects that will attract new industries and employment opportunities

9 and further grow and strengthen Nebraska's retail, entertainment, and

10 tourism industries.

11 (2) The Legislature finds that it will be beneficial to the economic

12 well-being of the people of this state to encourage transformational

13 development projects within the state that create jobs, infrastructure,

14 and other improvements and attract and retain tourists and college

15 graduates from around the state.

16 (3) The Legislature further finds that such projects will (a)

17 generate new economic activity, as well as additional state and local

18 taxes from persons residing within and outside the state, (b) create new

19 economic opportunities and jobs for residents, and (c) promote new-to-

20 market retail, entertainment, and dining attractions.

21 Sec. 3. For purposes of the Good Life Transformational Projects

22 Act:

23 (1) Department means the Department of Economic Development; and

24 (2) Good life district means a district established pursuant to

25 section 5 of this act.

26 Sec. 4. (1) Until December 31, 2024, any person may apply to the

27 department to create a good life district. All applications shall be in
1 writing and shall contain:
2 (a) A description of the proposed project to be undertaken within
3 the good life district, including an estimate of the total development
4 costs for the project and the number of new jobs to be created as a
5 result of the project;
6 (b) A map identifying the good life district to be used for purposes
7 of the project;
8 (c) A description of the proposed financing of the project;
9 (d) Documentation of local financial commitment to support the
10 project, including all public and private resources pledged or committed
11 to the project and including a copy of any operating agreement or lease
12 with substantial users of the project area; and
13 (e) Sufficient documents, plans, and specifications as required by
14 the department to define the project, including the following:
15 (i) A statement of how the jobs and taxes obtained from the project
16 will contribute significantly to the economic development of the state
17 and region;
18 (ii) Visitation expectations and a plan describing how the number of
19 visitors to the good life district will be tracked and reported on an
20 annual basis;
21 (iii) Any unique qualities of the project;
22 (iv) An economic impact study, including the anticipated effect of
23 the project on the regional and statewide economies;
24 (v) Project accountability, measured according to best industry
25 practices;
26 (vi) The expected return on state and local investment the project
27 is anticipated to produce; and
28 (vii) A summary of community involvement, participation, and support
29 for the project.
30 (2) Upon receiving an application, the department shall review the
31 application and notify the applicant of any additional information needed
1 for a proper evaluation of the application.
2 (3) The application and all supporting information shall be
3 confidential except for the location of the project, the total
4 development costs estimated for the project, and the number of new jobs
5 estimated to be created as a result of the project.
6 Sec. 5. (1) If the department finds that the project described in
7 the application meets the eligibility requirements of this section, the
8 application shall be approved.
9 (2) A project is eligible if:
10 (a) The applicant demonstrates that the total development costs of
11 the project will exceed:
12 (i) One billion dollars if the project will be located in a city of
13 the metropolitan class;
14 (ii) Seven hundred fifty million dollars if the project will be
15 located in a city of the primary class;
16 (iii) Five hundred million dollars if the project will be located in
17 a city of the first class, city of the second class, or village within a
18 county with a population of one hundred thousand inhabitants or more; or
19 (iv) One hundred million dollars if the project will be located in a
20 city of the first class, city of the second class, or village within a
21 county with a population of less than one hundred thousand inhabitants;
22 (b) The applicant demonstrates that the project will directly or
23 indirectly result in the creation of:
24 (i) One thousand new jobs if the project will be located in a city
25 of the metropolitan class;
26 (ii) Five hundred new jobs if the project will be located in a city
27 of the primary class;
28 (iii) Two hundred fifty new jobs if the project will be located in a

29 city of the first class, city of the second class, or village within a
30 county with a population of one hundred thousand inhabitants or more; or
31 (iv) Fifty new jobs if the project will be located in a city of the
1 first class, city of the second class, or village within a county with a
2 population of less than one hundred thousand inhabitants; and
3 (c)(i) For a project that will be located in a county with a
4 population of one hundred thousand inhabitants or more, the applicant
5 demonstrates that, upon completion of the project, at least twenty
6 percent of sales at the project will be made to persons residing outside
7 the State of Nebraska and the project will attract new-to-market retail
8 to the state and will generate a minimum of three million visitors per
9 year; or
10 (ii) For a project that will be located in a county with a
11 population of less than one hundred thousand inhabitants, the applicant
12 demonstrates that, upon completion of the project, at least twenty
13 percent of sales at the project will be made to persons residing outside
14 the State of Nebraska.
15 (3) A project is not eligible if the project includes a licensed
16 racetrack enclosure or an authorized gaming operator as such terms are
17 defined in section 9-1103.
18 (4) Approval of an application under this section shall establish
19 the good life district as that area depicted in the map accompanying the
20 application as submitted pursuant to subdivision (1)(b) of section 4 of
21 this act. Such district shall last for twenty-five years and shall not
22 exceed one thousand acres in size.
23 (5) Upon establishment of a good life district under this section,
24 any transactions occurring within the district shall be subject to a
25 reduced sales tax rate as provided in section 77-2701.02.
26 Sec. 6. No provision in the Good Life Transformational Projects Act
27 shall be construed to limit the existing statutory authority of any
28 political subdivision.
29 Sec. 7. Section 77-2701.02, Reissue Revised Statutes of Nebraska, is
30 amended to read:
31 77-2701.02 Pursuant to section 77-2715.01:
1 (1) Until July 1, 1998, the rate of the sales tax levied pursuant to
2 section 77-2703 shall be five percent;
3 (2) Commencing July 1, 1998, and until July 1, 1999, the rate of the
4 sales tax levied pursuant to section 77-2703 shall be four and one-half
5 percent;
6 (3) Commencing July 1, 1999, and until the start of the first
7 calendar quarter after July 20, 2002, the rate of the sales tax levied
8 pursuant to section 77-2703 shall be five percent; and
9 (4) Commencing on the start of the first calendar quarter after July
10 20, 2002, the rate of the sales tax levied pursuant to section 77-2703
11 shall be five and one-half percent; and -
12 (5) Commencing July 1, 2023, the rate of the sales tax levied
13 pursuant to section 77-2703 shall be five and one-half percent, except
14 that such rate shall be two and three-quarters percent on transactions
15 occurring within a good life district as defined in section 3 of this
16 act.
17 Sec. 8. Original section 77-2701.02, Reissue Revised Statutes of
18 Nebraska, is repealed.
19 Sec. 9. Since an emergency exists, this act takes effect when
20 passed and approved according to law.

Senator J. Cavanaugh filed the following amendment to LB753:

FA27

On page 4, line 8, after the semicolon insert "and", and strike lines 13 through 17.

UNANIMOUS CONSENT - Add Cointroducers

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

Senator Fredrickson name added to LB254.

Senator Conrad name added to LB526.

Senator Slama name added to LB587.

Senator Conrad name added to LB601.

WITHDRAW - Cointroducer

Senator Wayne name withdrawn from LR2CA.

VISITORS

Visitors to the Chamber were students, teachers, and sponsors from the Nebraska Thespians; students from 1-R and St. Libory Elementary, Grand Island; Nebraska AFL-CIO members; AARP Nebraska members; Erin Dorn and Anna Wolken, Adams.

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

ADJOURNMENT

At 12:16 p.m., on a motion by Senator Moser, the Legislature adjourned until 9:00 a.m., Wednesday, March 8, 2023.

Brandon Metzler
Clerk of the Legislature

