

**FIFTY-SEVENTH DAY - APRIL 5, 2023**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
FIRST SESSION**

**FIFTY-SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, April 5, 2023

**PRAYER**

The prayer was offered by Senator Walz.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator von Gillern.

**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, Bostar, Conrad, Day, Erdman, Hunt, Linehan, Slama, Vargas, and Wayne who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifty-sixth day was approved.

**RESOLUTIONS**

Pursuant to Rule 4, Sec. 5(b), LRs 76 and 77 were adopted.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 76 and 77.

**SELECT FILE**

**LEGISLATIVE BILL 276.** [ER17](#), found on page 937, was adopted.

Senator Hunt offered [MO436](#), found on page 943, to bracket until June 2, 2023.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 17 ayes, 4 nays, and 28 not voting.

The Hunt motion to bracket failed with 0 ayes, 45 nays, 1 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Pending.

**COMMITTEE REPORT**  
Appropriations

**LEGISLATIVE BILL 815.** Placed on General File.

**LEGISLATIVE BILL 816.** Placed on General File with amendment. [AM1136](#) is available in the Bill Room.

(Signed) Robert Clements, Chairperson

**MOTIONS - Print in Journal**

Senator Riepe filed the following motion to LB282:

[MO902](#)

Indefinitely postpone pursuant to Rule 6 Section 3(f).

Senator Riepe filed the following motions to recommit to committee to LB282:

[MO903](#)

[MO906](#)

[MO907](#)

Senator Riepe filed the following motions to bracket to LB282:

[MO904](#)

[MO905](#)

Senator Linehan filed the following motion to LB183:

[MO908](#)

Indefinitely postpone pursuant to Rule 6 Section 3(f).

Senator Linehan filed the following motion to LB183:

[MO909](#)

Recommit to Judiciary Committee.

Senator Linehan filed the following motion to LB183:

[MO910](#)

Bracket until June 9, 2023.

**SELECT FILE**

**LEGISLATIVE BILL 276.** Senator M. Cavanaugh offered the following motion:

[MO911](#)

Reconsider the vote taken on MO436.

Senator Hunt moved for a call of the house. The motion prevailed with 13 ayes, 9 nays, and 27 not voting.

The M. Cavanaugh motion to reconsider failed with 0 ayes, 46 nays, 1 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Hunt offered [MO435](#), found on page 943, to recommit to Health and Human Services Committee.

**SPEAKER ARCH PRESIDING**

Senator Hunt withdrew her motion to recommit to committee.

Senator Hunt offered [MO434](#), found on page 943, to indefinitely postpone.

Senator Hunt withdrew her motion to indefinitely postpone.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 276A.** Advanced to Enrollment and Review for Engrossment.

**BILL ON FIRST READING**

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

**LEGISLATIVE BILL 799A.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 799, One Hundred Eighth Legislature, First Session, 2023; and to declare an emergency.

**COMMITTEE REPORT**

Banking, Commerce and Insurance

**LEGISLATIVE BILL 256.** Placed on General File with amendment.

[AM1176](#)

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

3 Section 1. Section 44-312, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 44-312 (1) For purposes of this section:

6 (a)(i) Telehealth means the use of medical information  
7 electronically exchanged from one site to another, whether synchronously  
8 or asynchronously, to aid a health care provider in the diagnosis or  
9 treatment of a patient.

10 (ii) Telehealth includes (A) services originating from a patient's  
11 home or any other location where such patient is located, (B)  
12 asynchronous services involving the acquisition and storage of medical  
13 information at one site that is then forwarded to or retrieved by a  
14 health care provider at another site for medical evaluation, and (C)  
15 telemonitoring.

16 (iii) Telehealth also includes audio-only services for the delivery  
17 of individual behavioral health services for an established patient, when  
18 appropriate, or crisis management and intervention for an established  
19 patient as allowed by federal law; and

20 (b) Telemonitoring means the remote monitoring of a patient's vital  
21 signs, biometric data, or subjective data by a monitoring device which  
22 transmits such data electronically to a health care provider for analysis  
23 and storage.

24 (2) Any insurer offering (a) any individual or group sickness and  
25 accident insurance policy, certificate, or subscriber contract delivered,  
26 issued for delivery, or renewed in this state, (b) any hospital, medical,  
27 or surgical expense-incurred policy, except for policies that provide  
1 coverage for a specified disease or other limited-benefit coverage, or  
2 (c) any self-funded employee benefit plan to the extent not preempted by  
3 federal law, shall provide upon request to a policyholder, certificate  
4 holder, or health care provider a description of the telehealth and  
5 telemonitoring services covered under the relevant policy, certificate,  
6 contract, or plan.

7 (3) The description shall include:

8 (a) A description of services included in telehealth and  
9 telemonitoring coverage, including, but not limited to, any coverage for  
10 transmission costs;

11 (b) Exclusions or limitations for telehealth and telemonitoring  
12 coverage, including, but not limited to, any limitation on coverage for  
13 transmission costs; and

14 (c) Requirements for the licensing status of health care providers  
15 providing telehealth and telemonitoring services.

16 (4) Except as otherwise provided in section 44-793, the  
17 reimbursement rate for any telehealth service shall, at a minimum, be the  
18 same as a comparable in-person health care service if the licensed  
19 provider providing the telehealth service also provides in-person health  
20 care services at a physical location in Nebraska or is employed by or  
21 holds medical staff privileges at a licensed facility in Nebraska and  
22 such facility provides in-person health care services in Nebraska.

23 Sec. 2. (1) For purposes of this section:

24 (a) National Provider Identifier means the standard, unique health  
25 identifier number for a health care provider that is issued by the  
26 National Provider System in accordance with 45 C.F.R. part 162, as such  
27 regulations existed on January 1, 2023; and

28 (b) Off-campus location means a facility:  
29 (i) With operations that are directly or indirectly owned or  
30 controlled by, in whole or in part, a hospital, or that is affiliated  
31 with a hospital, regardless of whether such off-campus location is  
1 operated by the same governing body as the hospital;

2 (ii) That is located in its entirety, including all real estate,  
3 structures, and permanent fixtures, more than one mile from the main  
4 campus of the hospital as measured from the closest real estate.

5 structure, or permanent fixture of the main campus;  
 6 (iii) That provides services which are organizationally and  
 7 functionally integrated with the hospital; and  
 8 (iv) That is an outpatient facility providing ambulatory surgery,  
 9 urgent care, or emergency room services.  
 10 (2) An off-campus location of a hospital shall obtain a National  
 11 Provider Identifier that is distinct from the National Provider  
 12 Identifier used by the main campus of the affiliated hospital and any  
 13 other off-campus location of such hospital and shall use such identifier  
 14 on all claims for reimbursement or payment for health care services  
 15 provided at such location.  
 16 Sec. 3. Original section 44-312, Reissue Revised Statutes of  
 17 Nebraska, is repealed.

(Signed) Julie Slama, Chairperson

### AMENDMENTS - Print in Journal

Senator Sanders filed the following amendment to LB583:

AM1174

(Amendments to Standing Committee amendments, AM970)

1 1. On page 1, lines 6 and 7, strike "Tax Equity and Educational  
 2 Opportunities Support Act", show as stricken, and insert "Education  
 3 Future Act".

Senator Sanders filed the following amendment to LB583:

AM1175

(Amendments to Standing Committee amendments, AM970)

1 1. On page 14, strike beginning with "A" in line 18 through "result"  
 2 in line 19, show as stricken, and insert "If this calculation produces a  
 3 negative result, such district's net option funding shall be equal to  
 4 zero".

### VISITORS

Visitors to the Chamber were Larry Peters; Lincoln; students from Northeast High School, Lincoln; students from Milford Elementary, Milford; Noah Day, Omaha; students and sponsors from GFWC/Nebraska Federation of Women's Club; teachers and staff from Papillion-La Vista Public Schools; students from Arbor Park Elementary, Blair.

### RECESS

At 11:54 a.m., on a motion by Senator DeKay, the Legislature recessed until 1:00 p.m.

### AFTER RECESS

The Legislature reconvened at 1:00 p.m., President Kelly presiding.

**ROLL CALL**

The roll was called and all members were present except Senator Aguilar who was excused and Senators Brewer, Briese, Day, Dorn, Dover, Holdcroft, Jacobson, Lippincott, and Wayne who were excused until they arrive.

**SPEAKER'S MAJOR PROPOSALS**

April 5, 2023

Brandon Metzler  
Clerk of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. Metzler:

Please be advised that pursuant to Rule 1, Section 17, the Executive Board has approved Speaker Arch's request that LB813, LB814, LB818, LB282, and LB799 be designated as a 2023 Speaker's Major Proposal.

Respectfully,  
(Signed) Senator Tom Briese  
Chair, Executive Board

**SELECT FILE**

**LEGISLATIVE BILL 683.** [ER18](#), found on page 1004, was adopted.

Senator Dungan offered [AM1096](#), found on page 940.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 14 ayes, 2 nays, and 33 not voting.

Senator Blood requested a roll call vote, in reverse order, on the Dungan amendment.

Voting in the affirmative, 47:

Albrecht	Cavanaugh, J.	Fredrickson	Kauth	Sanders
Arch	Cavanaugh, M.	Geist	Linehan	Slama
Armendariz	Clements	Halloran	Lippincott	Vargas
Ballard	Conrad	Hansen	Lowe	von Gillern
Blood	Day	Hardin	McDonnell	Walz
Bostar	DeBoer	Holdcroft	McKinney	Wayne
Bostelman	DeKay	Hughes	Moser	Wishart
Brandt	Dorn	Hunt	Murman	
Brewer	Dover	Ibach	Raybould	
Briese	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Present and not voting, 1:

Erdman

Excused and not voting, 1:

Aguilar

The Dungan amendment was adopted with 47 ayes, 0 nays, 1 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Senator Geist offered [AM1142](#), found on page 1007.

Senator M. Cavanaugh offered the following motion:

[MO912](#)

Bracket until May 18, 2023.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 10 ayes, 1 nay, and 38 not voting.

The M. Cavanaugh motion to bracket failed with 0 ayes, 44 nays, 2 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh offered the following motion:

[MO915](#)

Reconsider the vote taken on MO912.

### **SPEAKER ARCH PRESIDING**

Senator M. Cavanaugh withdrew her motion to reconsider.

Senator Bostar offered the following amendment to the Geist amendment:

AM1181

(Amendments to AM1142)

1 1. Insert the following new sections:  
 2 Sec. 18. Section 86-125, Reissue Revised Statutes of Nebraska, is  
 3 amended to read:  
 4 86-125 Notwithstanding the provisions of section 86-124:  
 5 (1) Any ~~All~~ communications ~~provider~~ ~~providers~~ providing service in  
 6 Nebraska shall file a registration form with and pay a registration fee  
 7 to the Public Service Commission. ~~A communications provider which~~  
 8 ~~provides such service prior to August 1, 2007, and which continues to~~  
 9 ~~provide such service on and after August 1, 2007, shall register with the~~  
 10 ~~commission no later than January 1, 2008. Any communications provider~~  
 11 ~~which begins to provide service in Nebraska on or after August 1, 2007,~~  
 12 ~~shall register with the commission prior to providing such service. The~~  
 13 ~~commission shall prescribe the registration form to be filed pursuant to~~  
 14 ~~this section;~~  
 15 (2) A communications provider providing the services described in  
 16 ~~The commission shall prescribe the registration form to be filed pursuant~~  
 17 ~~to this section. Communications providers as defined in subdivision (7)~~  
 18 ~~(a) (8)(a) of this section shall provide the commission with the (a)~~  
 19 ~~The name, address, telephone number, and email address of a contact~~  
 20 ~~person concerning:~~  
 21 ~~(a) The the Nebraska Telecommunications Universal Service Fund Act~~  
 22 ~~and related surcharges, if applicable;~~  
 23 ~~(b) The name, address, telephone number, and email address of a~~  
 24 ~~contact person concerning the Telecommunications Relay System Act and~~  
 25 ~~related surcharges, if applicable;~~  
 26 ~~(c) The name, address, telephone number, and email address of a~~  
 27 ~~contact person concerning the Enhanced Wireless 911 Services Act and~~  
 28 ~~related surcharges, if applicable; and~~  
 29 ~~(d) Consumer The name, address, telephone number, and email address~~  
 30 ~~of a contact person concerning consumer complaints and inquiries;~~  
 31 A communications provider providing the services described in  
Communications providers as defined in subdivision (7)(b) (8)(b) of this  
section shall provide the commission with the name, address, telephone  
number, and email address of a person with managerial responsibility for  
Nebraska operations;  
 (4) A ~~The~~ communications provider shall:  
 (a) Submit ~~submit~~ a registration fee at the time of submission of  
 the registration form. The commission shall set the fee in an amount  
 sufficient to cover the costs of administering the registration process  
 but not to exceed fifty dollars;  
 (b) Keep ~~(5) The communications provider shall keep~~ the information  
 required by this section current and ~~shall~~ notify the commission of any  
 changes to such information within sixty days after the change; and  
 (c) Certify to the commission by January 1 each year that such  
communications provider does not use or provide any communications  
equipment or service deemed to pose a threat to national security  
identified on the Covered List developed pursuant to 47 C.F.R. 1.50002,  
as such regulation existed on January 1, 2023, and published by the  
Public Safety and Homeland Security Bureau of the Federal Communications  
Commission pursuant to the federal Secure and Trusted Communications  
Networks Act of 2019, 47 U.S.C. 1601 et seq., as such act existed on  
January 1, 2023, and the rules adopted pursuant to such act by the  
Federal Communications Commission on November 11, 2022, in its Report and  
Order FCC 22-84;  
 (5) ~~(6) The commission may, pursuant to section 75-156,~~  
 administratively fine ~~pursuant to section 75-156~~ any communications  
 provider which violates this section;



1 (6) (7) This section applies to all communications providers  
 2 providing service in Nebraska except for those communications providers  
 3 otherwise regulated under the Nebraska Telecommunications Regulation Act;  
 4 and

5 (7) (8) For purposes of this section, communications provider means  
 6 any entity that:

7 (a) Uses telephone numbers or Internet protocol addresses or their  
 8 functional equivalents or successors to provide information of a user's  
 9 choosing by aid of wire, cable, wireless, satellite, or other like  
 10 connection, whether part of a bundle of services or offered separately,  
 11 (i) which provides or enables real-time or interactive voice  
 12 communications and (ii) in which the voice component is the primary  
 13 function; or

14 (b) Provides any service, whether part of a bundle of services or  
 15 offered separately, used for transmission of information of a user's  
 16 choosing regardless of the transmission medium or technology employed,  
 17 that connects to a network that permits the end user to engage in  
 18 electronic communications, including, but not limited to, service  
 19 provided directly (i) to the public or (ii) to such classes of users as  
 20 to be effectively available directly to the public.

21 Sec. 19. Section 86-324, Revised Statutes Cumulative Supplement,  
 22 2022, is amended to read:

23 86-324 (1) The Nebraska Telecommunications Universal Service Fund is  
 24 hereby created. The fund shall provide the assistance necessary to make  
 25 universal access to telecommunications services available to all persons  
 26 in the state consistent with the policies set forth in the Nebraska  
 27 Telecommunications Universal Service Fund Act. Only eligible  
 28 telecommunications companies designated by the commission shall be  
 29 eligible to receive support to serve high-cost areas from the fund. A  
 30 telecommunications company that receives such support shall use that  
 31 support only for the provision, maintenance, and upgrading of facilities  
 1 and services for which the support is intended. Any such support should  
 2 be explicit and sufficient to achieve the purpose of the act.

3 (2) Notwithstanding the provisions of section 86-124, in addition to  
 4 other provisions of the act, and to the extent not prohibited by federal  
 5 law, the commission:

6 (a) Shall have authority and power to subject eligible  
 7 telecommunications companies to service quality, customer service, and  
 8 billing regulations. Such regulations shall apply only to the extent of  
 9 any telecommunications services or offerings made by an eligible  
 10 telecommunications company which are eligible for support by the fund.  
 11 The commission shall be reimbursed from the fund for all costs related to  
 12 drafting, implementing, and enforcing the regulations and any other  
 13 services provided on behalf of customers pursuant to this subdivision;

14 (b) Shall have authority and power to issue orders carrying out its  
 15 responsibilities and to review the compliance of any eligible  
 16 telecommunications company receiving support for continued compliance  
 17 with any such orders or regulations adopted pursuant to the act;

18 (c) May withhold all or a portion of the funds to be distributed  
 19 from any telecommunications company failing to continue compliance with  
 20 the commission's orders or regulations;

21 (d) Shall withhold support distributed from the fund from any  
 22 telecommunications company using or providing any communications  
 23 equipment or service deemed to pose a threat to national security  
 24 identified on the Covered List developed pursuant to 47 C.F.R. 1.50002,  
 25 as such regulation existed on January 1, 2023, and published by the  
 26 Public Safety and Homeland Security Bureau of the Federal Communications  
 27 Commission pursuant to the federal Secure and Trusted Communications  
 28 Networks Act of 2019, 47 U.S.C. 1601 et seq., as such act existed on  
 29 January 1, 2023, and the rules adopted pursuant to such act by the

30 Federal Communications Commission on November 11, 2022, in its Report and

31 Order FCC 22-84. Any telecommunications company that removes,

1 discontinues, or replaces any communications equipment or service

2 identified on the Covered List described in this subdivision in

3 compliance with federal law shall not be required to obtain any

4 additional permits from any state agency or political subdivision in the

5 removal, discontinuance, or replacement of such communications equipment

6 or service as long as the state agency or political subdivision is

7 properly notified of the necessary replacements and the replacement of

8 any communications equipment is similar to the existing communications

9 equipment;

10 (c) (d) Shall require every telecommunications company to contribute

11 to any universal service mechanism established by the commission pursuant

12 to state law. The commission shall require, as reasonably necessary, an

13 annual audit of any telecommunications company to be performed by a

14 third-party certified public accountant to insure the billing,

15 collection, and remittance of a surcharge for universal service. The

16 costs of any audit required pursuant to this subdivision shall be paid by

17 the telecommunications company being audited;

18 (f) (e) Shall require an audit of information provided by a

19 telecommunications company to be performed by a third-party certified

20 public accountant for purposes of calculating universal service fund

21 payments to such telecommunications company. The costs of any audit

22 required pursuant to this subdivision shall be paid by the

23 telecommunications company being audited; and

24 (g) (f) May administratively fine pursuant to section 75-156 any

25 person who violates the Nebraska Telecommunications Universal Service

26 Fund Act.

27 (3) Any money in the fund available for investment shall be invested

28 by the state investment officer pursuant to the Nebraska Capital

29 Expansion Act and the Nebraska State Funds Investment Act.

30 (4) Transfers may be made from earnings on the Nebraska

31 Telecommunications Universal Service Fund to the 211 Cash Fund at the

1 direction of the Legislature. The State Treasurer shall transfer nine

2 hundred fifty-five thousand dollars on July 1 beginning in 2022 from the

3 earnings on the Nebraska Telecommunications Universal Service Fund to the

4 211 Cash Fund.

5 Sec. 20. Section 86-328, Revised Statutes Cumulative Supplement,

6 2022, is amended to read:

7 86-328 (1) Annually the commission shall hold a public hearing to

8 determine the level of the fund necessary to carry out the Nebraska

9 Telecommunications Universal Service Fund Act. The commission shall

10 publish notice of the hearing in at least one newspaper of general

11 circulation in the state at least once each week for two consecutive

12 weeks before the hearing. After the hearing, the commission shall

13 determine the amount of the fund for the following year, including a

14 reasonable reserve. In the initial year of the fund's operation, the

15 commission shall determine the amount of the fund to be equivalent to the

16 amount which, in the commission's judgment, after careful analysis, is

17 necessary to keep approximately ninety-six percent of Nebraska households

18 subscribed to local telecommunications service.

19 (2) In an emergency as determined by the commission, the commission

20 may adjust the level of the fund, but only after a public hearing for

21 such purpose.

22 (3) For purposes of service by a prepaid wireless telecommunications

23 service provider, universal service fund contribution and surcharge

24 obligations shall be governed by the Prepaid Wireless Surcharge Act,

25 except that a prepaid wireless telecommunications service provider shall

26 continue to be subject to the audit requirements in subdivision (2)(e)

27 ~~(2)(d)~~ of section 86-324.

28 Sec. 28. Original section 86-125, Reissue Revised Statutes of  
 29 Nebraska, and sections 86-324 and 86-328, Revised Statutes Cumulative  
 30 Supplement, 2022, are repealed.  
 31 3. On page 16, after line 10 insert the following new subsection:  
 1 "(4) Beginning January 1, 2025, no applicant shall be eligible to  
 2 receive a grant if such applicant uses or provides any communications  
 3 equipment or service deemed to pose a threat to national security  
 4 identified on the Covered List developed pursuant to 47 C.F.R. 1.50002,  
 5 as such regulation existed on January 1, 2023, and published by the  
 6 Public Safety and Homeland Security Bureau of the Federal Communications  
 7 Commission pursuant to the federal Secure and Trusted Communications  
 8 Networks Act of 2019, 47 U.S.C. 1601 et seq., as such act existed on  
 9 January 1, 2023, and the rules adopted pursuant to such act by the  
 10 Federal Communications Commission on November 11, 2022, in its Report and  
 11 Order FCC 22-84."  
 12 4. Renumber the remaining sections and correct internal references  
 13 accordingly and provide an operative date section so that the sections  
 14 added by this amendment become operative on January 1, 2025.

Senator Bostar moved for a call of the house. The motion prevailed with 22 ayes, 2 nays, and 25 not voting.

Senator Bostar requested a roll call vote on his amendment, to the Geist amendment.

Voting in the affirmative, 39:

Albrecht	Briese	Erdman	Jacobson	Murman
Arch	Clements	Geist	Kauth	Raybould
Armendariz	Day	Halloran	Linehan	Riepe
Ballard	DeBoer	Hansen	Lippincott	Sanders
Bostar	DeKay	Hardin	Lowe	Slama
Bostelman	Dorn	Holdcroft	McDonnell	Vargas
Brandt	Dover	Hughes	McKinney	von Gillern
Brewer	Dungan	Ibach	Moser	

Voting in the negative, 0.

Present and not voting, 4:

Blood          Cavanaugh, J.      Cavanaugh, M.      Hunt

Excused and not voting, 6:

Aguilar	Fredrickson	Wayne
Conrad	Walz	Wishart

The Bostar amendment, to the Geist amendment, was adopted with 39 ayes, 0 nays, 4 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

The Geist amendment, as amended, was adopted with 41 ayes, 0 nays, 1 present and not voting, and 7 excused and not voting.

Senator Conrad offered [MO158](#), found on page 924, to recommit to Transportation and Telecommunications Committee.

Senator Conrad withdrew her motion to recommit to committee.

Senator Conrad offered [MO160](#), found on page 924, to indefinitely postpone.

Senator Conrad withdrew her motion to indefinitely postpone.

Senator Conrad offered [MO161](#), found on page 924, to recommit to Transportation and Telecommunications Committee.

Senator Conrad withdrew her motion to recommit to committee.

Senator Conrad offered [MO162](#), found on page 924, to bracket until June 2, 2023.

Senator Conrad withdrew her motion to bracket.

Senator Geist offered [MO171](#), found on page 925, to bracket until June 2, 2023.

Senator Geist withdrew her motion to bracket.

Senator Geist offered [MO172](#), found on page 925, to indefinitely postpone.

Senator Geist withdrew her motion to indefinitely postpone.

Senator Geist offered [MO173](#), found on page 925, to recommit to Transportation and Telecommunications Committee.

Senator Geist withdrew her motion to recommit to committee.

Senator Hunt offered [AM1072](#), found on page 962.

The Hunt amendment was withdrawn.

Senator Hunt offered [AM1073](#), found on page 962.

The Hunt amendment was withdrawn.

Senator Hunt offered [AM1074](#), found on page 962.

The Hunt amendment was withdrawn.

Senator Hunt offered [AM1075](#), found on page 962.

The Hunt amendment was withdrawn.

Senator Hunt offered [AM1076](#), found on page 962.

The Hunt amendment was withdrawn.

Senator M. Cavanaugh offered [AM1101](#), found on page 962.

The M. Cavanaugh amendment was withdrawn.

Senator Brandt offered [AM1162](#), found on page 1019.

The Brandt amendment was withdrawn.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 138.** Senator Hunt offered [MO314](#), found on page 935, to indefinitely postpone pursuant to Rule 6 Section 3(f).

Senator Hunt withdrew her motion to indefinitely postpone pursuant to Rule 6, Section 3(f).

Senator Hunt offered [MO315](#), found on page 936, to recommit to Transportation and Telecommunications Committee.

Senator Hunt withdrew her motion to recommit to committee.

Senator Hunt offered [MO316](#), found on page 936, to bracket until June 1, 2023.

Senator Hunt withdrew her motion to bracket.

Senator Hunt offered [MO317](#), found on page 935, to indefinitely postpone.

Senator Hunt withdrew her motion to indefinitely postpone.

Senator Hunt offered [MO318](#), found on page 936, to recommit to Transportation and Telecommunications Committee.

Senator Hunt withdrew her motion to recommit to committee.

Senator Hunt offered [MO319](#), found on page 936, to bracket until June 2, 2023.

Senator Hunt withdrew her motion to bracket.

Senator Brewer offered [AM585](#), found on page 633.

The Brewer amendment was withdrawn.

Senator Brewer offered [AM837](#), found on page 774.

The Brewer amendment was adopted with 38 ayes, 0 nays, 1 present and not voting, and 10 excused and not voting.

Senator Moser offered the following amendment:

[AM1138](#) is available in the Bill Room.

The Moser amendment was adopted with 36 ayes, 0 nays, 3 present and not voting, and 10 excused and not voting.

Senator Raybould offered the following amendment:

[AM1207](#)

1 1. Insert the following new sections:

2 Sec. 20. Section 60-601, Reissue Revised Statutes of Nebraska, is

3 amended to read:

4 60-601 Sections 60-601 to 60-6,383 and sections 23, 24, 25, and 26

5 of this act shall be known and may be cited as the Nebraska Rules of the

6 Road.

7 Sec. 21. Section 60-605, Reissue Revised Statutes of Nebraska, is

8 amended to read:

9 60-605 For purposes of the Nebraska Rules of the Road, the

10 definitions found in sections 60-606 to 60-676 and sections 23, 24, 25,

11 and 26 of this act shall be used.

12 Sec. 22. Section 60-611, Reissue Revised Statutes of Nebraska, is

13 amended to read:

14 60-611 Bicycle shall mean:

15 (1) ~~Every~~ ~~every~~ device propelled solely by human power, upon which

16 any person may ride, and having two, ~~three, or four~~ three, or four wheels ~~any one or~~

17 ~~more of which being tandem wheels either of which is more than fourteen~~

18 ~~inches in diameter; and or~~

19 (2) ~~An electric bicycle, a device with two or three wheels, fully~~

20 ~~operative pedals for propulsion by human power, and an electric motor~~

21 ~~with a capacity not exceeding seven hundred fifty watts which produces no~~

22 ~~more than one brake horsepower and is capable of propelling the bicycle~~

23 ~~at a maximum design speed of no more than twenty miles per hour on level~~

24 ~~ground.~~

25 Sec. 23. Class I electric bicycle means a device with the following

26 components:

27 (1) Two, three, or four wheels;

1 (2) A saddle or seat for the rider;

2 (3) Fully operative pedals for propulsion by human power; and

3 (4) An electric motor:

4 (a) Not exceeding seven hundred fifty watts of power;

5 (b) That produces no more than one brake horsepower;

6 (c) Capable of propelling the bicycle at a maximum design speed of

7 no more than twenty miles per hour on level ground;

8 (d) That only provides power when the rider is pedaling; and

9 (e) That does not provide power if the electric bicycle is traveling

10 at a speed of more than twenty miles per hour.

11 Sec. 24. Class II electric bicycle means a device with the

12 following components:

13 (1) Two, three, or four wheels;

14 (2) A saddle or seat for the rider;

15 (3) Fully operative pedals for propulsion by human power; and

16 (4) An electric motor;

17 (a) Not exceeding seven hundred fifty watts of power;  
 18 (b) That produces no more than one brake horsepower;  
 19 (c) Capable of propelling the bicycle at a maximum design speed of  
 20 no more than twenty miles per hour on level ground;  
 21 (d) Capable of providing power whether or not the rider is pedaling;  
 22 and  
 23 (e) That does not provide power if the electric bicycle is traveling  
 24 at a speed of more than twenty miles per hour.  
 25 Sec. 25. Class III electric bicycle means a device with the  
 26 following components:  
 27 (1) Two, three, or four wheels;  
 28 (2) A saddle or seat for the rider;  
 29 (3) Fully operative pedals for propulsion by human power; and  
 30 (4) An electric motor;  
 31 (a) Not exceeding seven hundred fifty watts of power;  
 1 (b) That produces no more than one brake horsepower;  
 2 (c) Capable of propelling the bicycle at a maximum design speed of  
 3 no more than twenty-eight miles per hour on level ground;  
 4 (d) That only provides power when the rider is pedaling; and  
 5 (e) That does not provide power if the electric bicycle is traveling  
 6 at a speed of more than twenty-eight miles per hour.  
 7 Sec. 26. Electric bicycle means a Class I electric bicycle, a Class  
 8 II electric bicycle, and a Class III electric bicycle.  
 9 Sec. 28. Section 60-640, Reissue Revised Statutes of Nebraska, is  
 10 amended to read:  
 11 60-640 (1) Motor-driven cycle means every motorcycle, including  
 12 every motor scooter, with a motor which produces not to exceed five brake  
 13 horsepower as measured at the drive shaft, mopeds, and every bicycle with  
 14 a motor attached except for an electric bicycle as described in  
 15 subdivision (2) of section 60-644. Motor-driven cycle shall not include  
 16 an electric personal assistive mobility device.  
 17 (2) For purposes of this section, motorcycle does not include an  
 18 autocycle.  
 19 Sec. 29. Section 60-678, Reissue Revised Statutes of Nebraska, is  
 20 amended to read:  
 21 60-678 (1) The State of Nebraska or any department, board,  
 22 commission, or governmental subdivision thereof is hereby authorized, in  
 23 its respective jurisdiction, to enact regulations permitting,  
 24 prohibiting, and controlling the use of motor vehicles, minibikes,  
 25 motorcycles, off-road recreation vehicles of any and all types, electric  
 26 bicycles, other powered vehicles, electric personal assistive mobility  
 27 devices, and vehicles which are not self-propelled. Any person who  
 28 operates any of such vehicles without the permission of the appropriate  
 29 governmental entity or in a place, time, or manner which has been  
 30 prohibited by such entity shall be guilty of a Class III misdemeanor.  
 31 (2) Such governmental entity described in subsection 1 of this  
 1 section may further authorize the supervising official of any area under  
 2 its ownership or control to permit, control, or prohibit operation of any  
 3 motor vehicle, minibike, motorcycle, off-road recreational vehicle of any  
 4 or all types, electric bicycles, other powered vehicle, electric personal  
 5 assistive mobility device, or vehicle which is not self-propelled on all  
 6 or any portion of any area under its ownership or control at any time by  
 7 posting or, in case of an emergency, by personal notice. Any person  
 8 operating any such vehicle where prohibited, where not permitted, or in a  
 9 manner so as to endanger the peace and safety of the public or as to harm  
 10 or destroy the natural features or manmade features of any such area  
 11 shall be guilty of a Class III misdemeanor.  
 12 2. Renumber the remaining sections and correct the repealer  
 13 accordingly.

The Raybould amendment was adopted with 30 ayes, 1 nay, 7 present and not voting, and 11 excused and not voting.

Senator DeBoer offered the following amendment:

AM1218

1 1. Insert the following new sections:

2 Section 1. Section 3-107, Reissue Revised Statutes of Nebraska, is

3 amended to read:

4 3-107 (1) The division shall have general supervision over  
5 aeronautics within this state. It is empowered and directed to encourage,  
6 foster, and assist in the development of aeronautics in this state and  
7 encourage the establishment of airports and other air navigation  
8 facilities.

9 (2) The Department of Transportation may budget for and pay any of  
10 the costs related to the administration of the division, including, but  
11 not limited to, employee salaries and benefits, out of the Highway Cash  
12 Fund, as the Director-State Engineer determines, in his or her sole  
13 discretion, to be in the best interest of transportation in Nebraska.  
14 Such costs do not include costs related to the construction,  
15 reconstruction, repair, operation, or maintenance of airport  
16 infrastructure, including runways, concrete surfacing, hangers or capital  
17 improvements, buildings, and structures.

18 (3) No state funds for the acquisition, engineering, construction,  
19 improvement, or maintenance of airports shall be expended upon any  
20 project or for any work upon any such project which is not done under the  
21 supervision of the division. When any airport which has received state  
22 grant funds pursuant to the State Aeronautics Act ceases to be an airport  
23 or a privately owned public use airport, the division shall, consistent  
24 with all other provisions of state and federal law, seek to recover so  
25 much of the state funds provided to the airport as it may and shall  
26 deposit any such funds so recovered into the Aeronautics Cash Fund.

27 Sec. 2. Section 13-1205, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 13-1205 The department shall have the following powers, duties, and

3 responsibilities:

4 (1) To collect and maintain data on the level of public  
5 transportation services and needs in the state and identify areas not  
6 being adequately served by existing public or private transportation  
7 services;

8 (2) To assess the regional and statewide effect of changes,  
9 improvement, and route abandonments in the state's public transportation  
10 system;

11 (3) To develop a six-year statewide transit plan and programs for  
12 public transportation in coordination with local plans and programs  
13 developed by municipalities, counties, transit authorities, and regional  
14 metropolitan transit authorities;

15 (4) To provide planning and technical assistance to agencies of the  
16 state, political subdivisions, or groups seeking to improve public  
17 transportation;

18 (5) To advise, consult, and cooperate with agencies of the state,  
19 the federal government, and other states, interstate agencies, political  
20 subdivisions, and groups concerned with public transportation;

21 (6) To cooperate with the Public Service Commission by providing  
22 periodic assessments to the commission when determining the effect of  
23 proposed regulatory decisions on public transportation;

24 (7) To administer federal and state programs providing financial  
25 assistance to public transportation, except those federal and state  
26 programs in which a municipality, county, transit authority, regional  
27 metropolitan transit authority, or other state agency is designated as  
28 the administrator; ~~and~~

29 (8) To develop and administer a safety oversight program to oversee  
30 rail transit systems operated by the state, an interstate agency, or any  
31 political subdivision; and



1 (9) ~~(8)~~ To exercise all other powers necessary and proper for the  
2 discharge of its duties, including the adoption and promulgation of  
3 reasonable rules and regulations to carry out the Nebraska Public  
4 Transportation Act.  
5 Sec. 3. Section 39-847, Revised Statutes Cumulative Supplement,  
6 2022, is amended to read:  
7 39-847 (1) Any county board may apply, in writing, to the Department  
8 of Transportation for state aid in the replacement of any bridge under  
9 the jurisdiction of such board. The application shall contain a  
10 description of the bridge, with a preliminary estimate of the cost of  
11 replacement thereof, and a certified copy of the resolution of such  
12 board, pledging such county to furnish up to twenty ~~forty~~ percent of the  
13 cost of replacement of such bridge. The county's share of replacement  
14 cost may be from any source except the State Aid Bridge Fund, except that  
15 where there is any bridge which is the responsibility of two counties,  
16 either county may make application to the department and, if the  
17 application is approved by the department, such county and the department  
18 may replace such bridge and recover, by suit, one-half of the county's  
19 cost of such bridge from the county failing or refusing to join in such  
20 application. All requests for bridge replacement under sections 39-846 to  
21 39-847.01 shall be forwarded by the department to the Board of Public  
22 Roads Classifications and Standards. Such board shall establish  
23 priorities for bridge replacement based on critical needs. The board  
24 shall consider such applications and establish priorities for a period of  
25 time consistent with sections 39-2115 to 39-2119. The board shall return  
26 the applications to the department with the established priorities.  
27 (2) The plans and specifications for each bridge shall be furnished  
28 by the department and replacement shall be under the supervision of the  
29 department and the county board.  
30 (3) Any contract for the replacement of any such bridge shall be  
31 made by the department consistent with procedures for contracts for state  
1 highways and federal-aid secondary roads.  
2 (4) After the replacement of any such bridge and the acceptance  
3 thereof by the department, any county having jurisdiction over it shall  
4 have sole responsibility for maintenance.  
5 Sec. 4. Section 39-1348, Reissue Revised Statutes of Nebraska, is  
6 amended to read:  
7 39-1348 (1) Except as otherwise provided in sections 39-2808 to  
8 39-2823, when letting contracts for the construction, reconstruction,  
9 improvement, maintenance, or repair of roads, bridges, and their  
10 appurtenances, the department shall solicit bids as follows:  
11 (a) ~~(1)~~ For contracts with an estimated cost, as determined by the  
12 department, of greater than two hundred fifty one ~~one hundred~~ thousand  
13 dollars, the department shall advertise for sealed bids for not less than  
14 twenty days by publication of a notice thereof once a week for three  
15 consecutive weeks in the official county newspaper designated by the  
16 county board in the county where the work is to be done and in such  
17 additional newspaper or newspapers as may appear necessary to the  
18 department in order to give notice of the receiving of bids. Such  
19 advertisement shall state the place where the plans and specifications  
20 for the work may be inspected and shall designate the time when the bids  
21 shall be filed and opened. If through no fault of the department  
22 publication of such notice fails to appear in any newspaper or newspapers  
23 in the manner provided in this subdivision, the department shall be  
24 deemed to have fulfilled the requirements of this subdivision; and  
25 (b) ~~(2)~~ For contracts with an estimated cost, as determined by the  
26 department, of two hundred fifty one ~~one hundred~~ thousand dollars or less,  
27 the department, in its sole discretion, shall either:  
28 (i) ~~(a)~~ Follow the procedures given in subdivision (a) ~~(1)~~ of this  
29 subsection ~~section~~; or

30 (ii) (b) Request bids from at least three potential bidders for such  
31 work. If the department requests bids under this subdivision, it shall  
1 designate a time when the bids shall be opened. The department may award  
2 a contract pursuant to this subdivision if it receives at least one  
3 responsive bid.

4 (2) The Department of Transportation may adjust the amounts in  
5 subdivisions (1)(a) and (b) of this section annually on October 1 by the  
6 percentage change in the Consumer Price Index for All Urban Consumers  
7 published by the United States Department of Labor, Bureau of Labor  
8 Statistics, at the close of the twelve-month period ending on August 31  
9 of such year. The amounts shall be rounded to the next highest one-  
10 thousand-dollar amount.

11 Sec. 5. Section 39-1351, Revised Statutes Cumulative Supplement,  
12 2022, is amended to read:

13 39-1351 (1) Except as provided in subsection (2) of this section,  
14 any person desiring to submit to the department a bid for the performance  
15 of any contract for the construction, reconstruction, improvement,  
16 maintenance, or repair of roads, bridges, and their appurtenances, which  
17 the department proposes to let, shall apply to the department for  
18 prequalification. Such application shall be made not later than five days  
19 before the letting of the contract unless fewer than five days is  
20 specified by the department. The department shall determine the extent of  
21 any applicant's qualifications by a full and appropriate evaluation of  
22 the applicant's experience, bonding capacity as determined by a bonding  
23 agency licensed to do business in the State of Nebraska or other  
24 sufficient financial showing deemed satisfactory by the department, and  
25 performance record. In determining the qualification of an applicant to  
26 bid on any particular contract, the department shall consider the  
27 resources available for the particular contract contemplated.

28 (2) The department may, in its sole discretion, grant an exemption  
29 from all prequalification requirements for (a) any contract for the  
30 construction, reconstruction, improvement, maintenance, or repair of  
31 roads, bridges, and their appurtenances if the estimate of the department  
1 for such work is ~~two hundred fifty one hundred~~ thousand dollars or less  
2 or (b) any contract for the construction, reconstruction, improvement,  
3 maintenance, or repair of roads, bridges, and their appurtenances if such  
4 work is of an emergency nature.

5 Sec. 29. Section 66-4,100, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7 66-4,100 The Highway Cash Fund and the Roads Operations Cash Fund  
8 are hereby created. If bonds are issued pursuant to subsection (2) of  
9 section 39-2223, the balance of the share of the Highway Trust Fund  
10 allocated to the Department of Transportation and deposited into the  
11 Highway Restoration and Improvement Bond Fund as provided in subsection  
12 (6) of section 39-2215 and the balance of the money deposited in the  
13 Highway Restoration and Improvement Bond Fund as provided in section  
14 39-2215.01 shall be transferred by the State Treasurer, on or before the  
15 last day of each month, to the Highway Cash Fund. If no bonds are issued  
16 pursuant to subsection (2) of section 39-2223, the share of the Highway  
17 Trust Fund allocated to the Department of Transportation shall be  
18 transferred by the State Treasurer on or before the last day of each  
19 month to the Highway Cash Fund.

20 The Legislature may direct the State Treasurer to transfer funds  
21 from the Highway Cash Fund to the Roads Operations Cash Fund. Both funds  
22 shall be expended by the department (1) for acquiring real estate, road  
23 materials, equipment, and supplies to be used in the construction,  
24 reconstruction, improvement, and maintenance of state highways, (2) for  
25 the construction, reconstruction, improvement, and maintenance of state  
26 highways, including grading, drainage, structures, surfacing, roadside  
27 development, landscaping, and other incidentals necessary for proper

28 completion and protection of state highways as the department shall,  
 29 after investigation, find and determine shall be for the best interests  
 30 of the highway system of the state, either independent of or in  
 31 conjunction with federal-aid money for highway purposes, (3) for the  
 1 share of the department of the cost of maintenance of state aid bridges,  
 2 (4) for planning studies in conjunction with federal highway funds for  
 3 the purpose of analyzing traffic problems and financial conditions and  
 4 problems relating to state, county, township, municipal, federal, and all  
 5 other roads in the state and for incidental costs in connection with the  
 6 federal-aid grade crossing program for roads not on state highways, (5)  
 7 for tests and research by the department or proportionate costs of  
 8 membership, tests, and research of highway organizations when  
 9 participated in by the highway departments of other states, (6) for the  
 10 payment of expenses and costs of the Board of Examiners for County  
 11 Highway and City Street Superintendents as set forth in section 39-2310,  
 12 (7) for support of the public transportation assistance program  
 13 established under section 13-1209 and the intercity bus system assistance  
 14 program established under section 13-1213, and (8) for purchasing from  
 15 political or governmental subdivisions or public corporations, pursuant  
 16 to section 39-1307, any federal-aid transportation funds available to  
 17 such entities, and (9) for costs related to the administration of the  
 18 Division of Aeronautics of the Department of Transportation as specified  
 19 in section 3-107.  
 20 Any money in the Highway Cash Fund and the Roads Operations Cash  
 21 Fund not needed for current operations of the department shall, as  
 22 directed by the Director-State Engineer to the State Treasurer, be  
 23 invested by the state investment officer pursuant to the Nebraska Capital  
 24 Expansion Act and the Nebraska State Funds Investment Act, subject to  
 25 approval by the board of each investment. All income received as a result  
 26 of such investment shall be placed in the Highway Cash Fund.  
 27 ~~Transfers may be made from the Roads Operations Cash Fund to the~~  
 28 ~~General Fund at the direction of the Legislature through June 30, 2019.~~  
 29 ~~The State Treasurer shall transfer seven million five hundred thousand~~  
 30 ~~dollars from the Roads Operations Cash Fund to the General Fund on or~~  
 31 ~~before June 30, 2018, on such date as directed by the budget~~  
 1 ~~administrator of the budget division of the Department of Administrative~~  
 2 ~~Services. The State Treasurer shall transfer seven million five hundred~~  
 3 ~~thousand dollars from the Roads Operations Cash Fund to the General Fund~~  
 4 ~~on or after July 1, 2018, but on or before June 30, 2019, on such date as~~  
 5 ~~directed by the budget administrator of the budget division of the~~  
 6 ~~Department of Administrative Services.~~  
 7 2. Renumber the remaining sections and correct the repealer and  
 8 internal references accordingly.

The DeBoer amendment was adopted with 36 ayes, 0 nays, 2 present and not voting, and 11 excused and not voting.

Senator M. Cavanaugh offered [AM1003](#), found on page 873.

The M. Cavanaugh amendment was withdrawn.

Senator M. Cavanaugh offered [AM999](#), found on page 873.

The M. Cavanaugh amendment was withdrawn.

Senator M. Cavanaugh offered [AM1000](#), found on page 873.

The M. Cavanaugh amendment was withdrawn.

Senator M. Cavanaugh offered [AM1001](#), found on page 873.

The Senator M. Cavanaugh amendment was withdrawn.

Advanced to Enrollment and Review for Engrossment.

### COMMITTEE REPORT

#### Revenue

**LEGISLATIVE BILL 727.** Placed on General File with amendment. [AM1152](#) is available in the Bill Room.

(Signed) Lou Ann Linehan, Chairperson

### MOTION - Print in Journal

Senator Conrad filed the following motion to [LB775](#):

[MO916](#)

Recommit to General Affairs Committee.

### AMENDMENTS - Print in Journal

Senator Conrad filed the following amendment to [LB775](#):

[FA39](#)

Strike the enacting clause.

Senator Linehan filed the following amendment to [LB727](#):

[AM1217](#)

(Amendments to Standing Committee amendments, AM1152)

- 1 1. Strike section 1.
- 2 2. Renumber the remaining sections and correct internal references
- 3 accordingly.

Senator Erdman filed the following amendment to [LB393](#):

[AM1215](#)

- 1 1. Insert the following new sections:
- 2 Sec. 4. For purposes of sections 5 and 6 of this act, detasseling
- 3 and roguing have the same meaning as in section 48-301.
- 4 Sec. 5. (1) A seed corn company that contracts with another company
- 5 providing labor for the roguing, detasseling, or harvesting of seed corn
- 6 shall first solicit contract bids from local companies whose work crews
- 7 are comprised of eighty percent or more Nebraska residents before
- 8 soliciting such bids from companies whose work crews are comprised of
- 9 less than eighty percent Nebraska residents, except that no such seed
- 10 company shall enter into a contract with such contractor company whose
- 11 work crew is comprised of less than eighty percent Nebraska residents
- 12 prior to April 1 of any year for work involving roguing, prior to May 1
- 13 of any year for work involving detasseling, or prior to June 1 of any
- 14 year for work involving harvesting.
- 15 (2)(a) A seed corn company or contractor as described in subsection
- 16 (1) of this section that advertises for laborers on the Department of

17 Labor Neworks website shall post separate advertisements for work  
 18 associated with (i) roguing, (ii) detasseling, and (iii) harvesting. Any  
 19 person who violates this subsection shall be guilty of a Class III  
 20 misdemeanor.  
 21 (b) In any year that advertisements described in this subsection are  
 22 posted, such advertisements shall not advertise work associated with (i)  
 23 roguing to start prior to May 1 or to end after August 1, (ii)  
 24 detasseling to start prior to June 1 or to end after September 1, and  
 25 (iii) harvesting to start prior to July 1 or to end after October 30.  
 26 (3) The Department of Labor shall not approve for posting on its  
 27 Neworks website any advertisement for work involving roguing,  
 1 detasseling, or harvesting which violates any federal law relating to  
 2 United States Department of Labor foreign labor certification programs.  
 3 Sec. 9. (1) The Department of Agriculture shall create an emergency  
 4 seed corn planting permit which shall be administered pursuant to this  
 5 section. Whenever the Director of Agriculture determines that an  
 6 emergency exists, the director may issue emergency seed corn planting  
 7 permits to seed corn companies and farmers for the planting of additional  
 8 acres of seed corn in a calendar year beyond that which was reported to  
 9 the director pursuant to section 8 of this act. Such permits shall not be  
 10 issued prior to April 1 of the reporting calendar year.  
 11 (2) The Director of Agriculture shall prescribe a sign for the  
 12 planting of seed corn authorized by an emergency seed corn planting  
 13 permit which shall include (a) the words Emergency Seed Corn, (b)  
 14 reference to this section, and (c) the permit number as assigned by the  
 15 Department of Agriculture. Such sign shall be posted in a prominent place  
 16 along the perimeter of each side of any field or parcel of land where  
 17 seed corn has been planted as authorized by the permit.  
 18 (3) Whenever the Governor by proclamation declares a vital resource  
 19 emergency associated with the need to plant additional acres of seed  
 20 corn, the provisions of this section may be suspended until such time  
 21 that the state of emergency declaration terminates.  
 22 2. On page 4, strike lines 15 and 16; and in line 17 strike "6 and  
 23 7" and insert "8, 9, and 10".  
 24 3. Renumber the remaining sections accordingly.

### BILL ON FIRST READING

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

**LEGISLATIVE BILL 565A.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 565, One Hundred Eighth Legislature, First Session, 2023; and to declare an emergency.

### RESOLUTION

**LEGISLATIVE RESOLUTION 86.** Introduced by Conrad, 46; Briese, 41; Cavanaugh, J., 9; DeBoer, 10; Dungan, 26; McKinney, 11; Slama, 1; Vargas, 7; Wayne, 13.

WHEREAS, Legal Aid of Nebraska is a nonprofit poverty law firm first founded as the Legal Aid Society of Omaha in 1963 for the purpose of providing free legal assistance in civil cases for those who could not afford an attorney in Omaha and northeast Nebraska; and

WHEREAS, Southeast Nebraska Legal Services was founded in 1964 in Lincoln, and Western Nebraska Legal Services was founded in 1965 in Grand Island and Scottsbluff, both for the purpose of providing free legal assistance in civil cases for those who could not afford an attorney in Lincoln and in central and western Nebraska; and

WHEREAS, the Rural Response Hotline was formed in 1984 as part of the Legal Aid Society of Omaha to provide assistance to farmers and ranchers in crisis; and

WHEREAS, the three regional legal aid programs merged in 2000 to form one statewide legal aid program known first as Nebraska Legal Services and then as Legal Aid of Nebraska; and

WHEREAS, Legal Aid of Nebraska operates a statewide legal telephone and Internet-based hotline providing free legal advice to thirteen thousand low-income Nebraskans each year; and

WHEREAS, Legal Aid of Nebraska provides free extended legal assistance to nearly two thousand low-income Nebraskans each year across four priority areas: housing, income and benefits, children and families, and debt and finance; and

WHEREAS, Legal Aid of Nebraska operates a statewide elder hotline providing free legal advice to hundreds of elderly Nebraskans each year regardless of income; and

WHEREAS, Legal Aid of Nebraska provides self-help resources to hundreds of Nebraskans through walk-in centers in Omaha, Lincoln, Grand Island, and Scottsbluff; and

WHEREAS, Legal Aid of Nebraska provides free legal assistance to hundreds of Native Americans each year in Nebraska's four tribal courts; and

WHEREAS, Legal Aid of Nebraska represents hundreds of domestic violence victims in civil courts in areas including protection orders, child custody, and child support; and

WHEREAS, Legal Aid of Nebraska has full-time offices in Omaha, Lincoln, Bancroft, Norfolk, Grand Island, North Platte, and Scottsbluff; and

WHEREAS, Legal Aid of Nebraska's mission is to promote justice, dignity, hope, and self-sufficiency through quality civil legal aid for those who have nowhere else to turn; and

WHEREAS, Legal Aid of Nebraska succeeds under the leadership of its present board of directors which includes Amy Van Horne, Amy Patras, Braeden Krall, Brandi Yosten, Christopher Buller, Senator Danielle Conrad, Destiny Fant, Douglas Murray, Hannah Sommers, Janice Brown, Honorable Patricia Lamberty, Katherine Voorhees, Marsha Fangmeyer, Melissa Figueroa, Nicole Vereen, Nicole Benegas, Ommohal Koko, Honorable Paul Korslund, Rodney Confer, Oluseyi "Seyi" Olowolafe, and Terry Waite; and

WHEREAS, the Legislature recognizes Legal Aid of Nebraska's contributions to the State of Nebraska.

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

1. That the Legislature extends special recognition to Legal Aid of Nebraska on the observance of its sixtieth anniversary of incorporation.

2. That a copy of this resolution be sent to Executive Director Laurie Heer Dale at Legal Aid of Nebraska.

Laid over.

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

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

Senator Wayne name added to LB50.

Senator Holdcroft name added to LB50.

Senator DeKay name added to LB50.

Senator Ibach name added to LB50.

#### **VISITORS**

Visitors to the Chamber were students, alumni and supporters from the University of Nebraska System; students from La Vista West Elementary, La Vista.

The Doctor of the Day was Dr. John Jacobsen of Kearney.

#### **ADJOURNMENT**

At 4:53 p.m., on a motion by Senator Clements, the Legislature adjourned until 9:00 a.m., Thursday, April 6, 2023.

Brandon Metzler  
Clerk of the Legislature

