

FIFTY-EIGHTH DAY - APRIL 6, 2023

LEGISLATIVE JOURNAL

**ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION**

FIFTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, April 6, 2023

PRAYER

The prayer was offered by Father Bill Holoubek, St. Mary's Catholic Church, Ashland.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Geist.

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, Day, Dorn, Hunt, Slama, Vargas, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 1024, line 9, insert "**LEGISLATIVE BILL 298A**. Advanced to Enrollment and Review for Engrossment."

The Journal for the fifty-sixth day was approved, as corrected.

The Journal for the fifty-seventh day was approved.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of April 5, 2023, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Brandon Metzler
Clerk of the Legislature

CP Strategies LLC
 SecurityScorecard, Inc.
 Mueller Robak
 Clean Harbors
 Neilan Strategy Group
 Critical Response Group

REPORTS

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

RESOLUTION

Pursuant to Rule 4, Sec. 5(b), LR78 was adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR78.

SELECT FILE

LEGISLATIVE BILL 103. [ER15](#), found on page 803, was adopted.

Senator McDonnell offered [AM969](#), found on page 1011.

Senator Hunt offered [MO302](#), found on page 936, to bracket until June 1, 2023.

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

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 10 ayes, 7 nays, and 32 not voting.

Senator M. Cavanaugh requested a roll call vote on the motion to cease debate.

Voting in the affirmative, 35:

Albrecht	Briese	Fredrickson	Ibach	McKinney
Arch	Cavanaugh, J.	Geist	Jacobson	Moser
Armendariz	Clements	Halloran	Kauth	Murman
Ballard	DeKay	Hansen	Linehan	Riepe
Bostelman	Dorn	Hardin	Lippincott	Sanders
Brandt	Dungan	Holdcroft	Lowe	von Gillern
Brewer	Erdman	Hughes	McDonnell	Wishart

Voting in the negative, 5:

Conrad DeBoer Raybould Vargas Walz

Present and not voting, 2:

Blood Cavanaugh, M.

Excused and not voting, 7:

Aguilar Day Hunt Wayne
Bostar Dover Slama

The motion to cease debate prevailed with 35 ayes, 5 nays, 2 present and not voting, and 7 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on the Hunt motion to bracket.

Voting in the affirmative, 0.

Voting in the negative, 40:

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

Present and not voting, 2:

Cavanaugh, J. Cavanaugh, M.

Excused and not voting, 7:

Aguilar Day Hunt Wayne
Bostar Dover Slama

The Hunt motion to bracket failed with 0 ayes, 40 nays, 2 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh offered the following motion:

[MO917](#)

Reconsider the vote taken on MO302.

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

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 15 ayes, 12 nays, and 22 not voting.

Senator M. Cavanaugh requested a roll call vote on the motion to cease debate.

Voting in the affirmative, 30:

Albrecht	Brewer	Halloran	Jacobson	Moser
Arch	Briese	Hansen	Kauth	Murman
Armendariz	DeKay	Hardin	Linehan	Riepe
Ballard	Dorn	Holdcroft	Lippincott	Sanders
Bostelman	Erdman	Hughes	Lowe	Slama
Brandt	Geist	Ibach	McDonnell	von Gillern

Voting in the negative, 11:

Cavanaugh, J.	DeBoer	McKinney	Walz
Cavanaugh, M.	Dungan	Raybould	Wayne
Conrad	Fredrickson	Vargas	

Present and not voting, 3:

Blood	Bostar	Wishart
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Excused and not voting, 5:

Aguilar	Clements	Day	Dover	Hunt
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The motion to cease debate prevailed with 30 ayes, 11 nays, 3 present and not voting, and 5 excused and not voting.

SPEAKER ARCH PRESIDING

Senator M. Cavanaugh requested a roll call vote on her motion to reconsider.

Voting in the affirmative, 3:

Cavanaugh, J.	Cavanaugh, M.	Conrad
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Voting in the negative, 38:

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

Present and not voting, 3:

Blood McKinney Wayne

Excused and not voting, 5:

Aguilar Clements Day Dover Hunt

The M. Cavanaugh motion to reconsider failed with 3 ayes, 38 nays, 3 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Pending.

AMENDMENT - Print in Journal

Senator McKinney filed the following amendment to LB531:
AM1222 is available in the Bill Room.

MOTIONS - Print in Journal

Senator Clements filed the following motions to bracket to LB815:

MO918
MO921

Senator Clements filed the following motions to recommit to committee to LB815:

MO919
MO922
MO924

Senator Clements filed the following motion to LB815:

MO920
Indefinitely postpone pursuant to Rule 6 Section 3(f).

Senator Clements filed the following motion to LB815:

[MO923](#)

Indefinitely postpone.

Senator Clements filed the following motions to bracket to LB816:

[MO925](#)

[MO928](#)

Senator Clements filed the following motion to LB816:

[MO926](#)

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

Senator Clements filed the following motions to recommit to committee to LB816:

[MO927](#)

[MO929](#)

[MO931](#)

Senator Clements filed the following motion to LB816:

[MO930](#)

Indefinitely postpone.

SELECT FILE

LEGISLATIVE BILL 103. Senator McDonnell renewed [AM969](#), found on page 1011 and considered in this day's Journal.

Senator Hunt offered [MO301](#), found on page 936, to recommit to Nebraska Retirement Systems Committee.

PRESIDENT KELLY PRESIDING

The Hunt motion to recommit to committee failed with 0 ayes, 26 nays, 13 present and not voting, and 10 excused and not voting.

Senator McDonnell offered the following amendment:

[AM1238](#)

(Amendments to Standing Committee amendments, AM417)

1 1. Insert the following new sections:

2 Sec. 3. Section 23-2332, Reissue Revised Statutes of Nebraska, is

3 amended to read:

4 23-2332 Any county with a population in excess of eighty-five

5 thousand inhabitants ~~that~~ ~~which~~ participates in the Retirement System for

6 Nebraska Counties established by the County Employees Retirement Act

7 shall establish and fund a supplemental retirement plan for the benefit

8 of all present and future commissioned law enforcement personnel employed

9 by such county. The auxiliary benefit plan shall be funded by additional

10 contributions to the county employees retirement plan in excess of the

11 amounts established by sections 23-2307 and 23-2308. The additional

12 contributions made by employees shall be credited to the employee

13 account, and contributions paid by the county shall be credited to the
 14 employer account, with each amount to be established at a rate of ~~three~~
 15 ~~two~~ percent of compensation. All contributions made pursuant to this
 16 section shall be invested and administered according to the County
 17 Employees Retirement Act.
 18 Sec. 4. Section 23-2332.01, Reissue Revised Statutes of Nebraska, is
 19 amended to read:
 20 23-2332.01 Any county with a population of eighty-five thousand
 21 inhabitants or less ~~that which~~ participates in the Retirement System for
 22 Nebraska Counties established by the County Employees Retirement Act
 23 shall establish and fund a supplemental retirement plan for the benefit
 24 of all present and future commissioned law enforcement personnel employed
 25 by such county who possess a valid law enforcement officer certificate or
 26 diploma, as established by the Nebraska Police Standards Advisory
 1 Council. The auxiliary benefit plan shall be funded by additional
 2 contributions to the county employees retirement plan in excess of the
 3 amounts established by sections 23-2307 and 23-2308. The additional
 4 contributions made by employees shall be credited to the employee
 5 account, and contributions paid by the county shall be credited to the
 6 employer account, with each amount to be established at a rate of ~~two one~~
 7 percent of compensation. All contributions made pursuant to this section
 8 shall be invested and administered according to the County Employees
 9 Retirement Act.
 10 Sec. 15. Sections 3, 4, and 16 of this act become operative three
 11 calendar months after the adjournment of this legislative session. The
 12 other sections of this act become operative on their effective date.
 13 Sec. 16. Original sections 23-2332 and 23-2332.01, Reissue Revised
 14 Statutes of Nebraska, are repealed.
 15 2. Renumber the remaining sections and correct internal references
 16 and the repealer accordingly.

Speaker Arch moved for a call of the house. The motion prevailed with 12 ayes, 1 nay, and 36 not voting.

The McDonnell amendment, [AM1238](#), was adopted with 32 ayes, 0 nays, and 17 excused and not voting.

The Chair declared the call raised.

The McDonnell amendment, [AM969](#), was adopted with 28 ayes, 0 nays, 4 present and not voting, and 17 excused and not voting.

Senator Hunt withdrew [MO300](#), found on page 935, to indefinitely postpone pursuant to Rule 6 Section 3(f).

Senator Hunt withdrew [MO303](#), found on page 935, to indefinitely postpone.

Senator Hunt withdrew [MO304](#), found on page 936, to recommit to committee.

Senator Hunt withdrew [MO305](#), found on page 936, to bracket.

Senator M. Cavanaugh offered the following amendment:

[AM1211](#)

(Amendments to Standing Committee amendments, AM417)

1 1. On page 11, line 11, strike the new matter and reinstate the
2 stricken matter.

The M. Cavanaugh amendment was withdrawn.

Senator M. Cavanaugh offered the following amendment:

[AM1210](#)

(Amendments to Standing Committee amendments, AM417)

1 1. On page 6, lines 12 through 18, strike the new matter and
2 reinstate the stricken matter; and in lines 20 and 23 strike "Attains"
3 and insert "Attained".

The M. Cavanaugh amendment was withdrawn.

Senator M. Cavanaugh offered the following amendment:

[AM1243](#)

(Amendments to Standing Committee amendments, AM417)

1 1. Insert the following new section:
2 Section 1. Any school employee found guilty of distributing or
3 exhibiting obscene materials to students shall not be eligible for
4 retirement benefits from any retirement system created or provided for in
5 statute.
6 2. Renumber the remaining sections and correct the repealer and
7 internal references accordingly.

The M. Cavanaugh amendment was withdrawn.

Senator M. Cavanaugh offered the following amendment:

[AM1239](#)

(Amendments to Standing Committee amendments, AM417)

1 1. Insert the following new section:
2 Section 1. Before September 1, 2023, and biennially thereafter, the
3 Legislature shall conduct a study of the impact of statutes pertaining to
4 or limiting termination of pregnancies on female mortality. The results
5 of such study shall be incorporated into the mortality assumptions and
6 tables referenced in statutes.
7 2. Renumber the remaining sections and correct the repealer and
8 internal references accordingly.

The M. Cavanaugh amendment was withdrawn.

Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 565. Senator Hunt offered [MO648](#), found on page 960, to indefinitely postpone, prior to the bill being read, pursuant to Rule 6 Section 3(f).

Senator Bostelman opened on his bill, LB565.

Senator Hunt opened on her motion, [MO648](#).

Senator Hunt withdrew her motion to indefinitely postpone, prior to the bill being read, pursuant to Rule 6, Section 3(f).

Title Read. Considered.

SPEAKER ARCH PRESIDING

Committee [AM827](#), found on page 763, was offered.

Senator M. Cavanaugh requested a division of the question on the committee amendment.

The Chair sustained the division of the question.

The first committee amendment is as follows:

[AM1240](#) is available in the Bill Room.

The second committee amendment is as follows:

[AM1242](#)

(Amendments to Standing Committee amendments, AM827)

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Sec. 29. Section 70-619, Reissue Revised Statutes of Nebraska, is
 4 amended to read:
 5 70-619 (1) The corporate powers of the district shall be vested in
 6 and exercised by the board of directors of the district. No person shall
 7 be qualified to hold office as a member of the board of directors unless
 8 (a) he or she is a registered voter (i) of such chartered territory, (ii)
 9 of the subdivision from which a director is to be elected if such
 10 chartered territory is subdivided for election purposes as provided in
 11 subsection (1), (2), or (3) of section 70-612, or (iii) of one of the
 12 combined subdivisions from which directors are to be elected at large as
 13 provided in section 70-612 or (b) he or she is a retail customer duly
 14 certified in accordance with subsection (3) of section 70-604.03.
 15 ~~(2) (2)(a) No person who is a full-time or part-time employee of the~~
 16 ~~district shall be eligible to serve as a member of the board of directors~~
 17 ~~of that district and no high-level manager employed by a district may~~
 18 ~~serve as a member of the board of directors of any district unless such~~
 19 ~~person (i) resigns or (ii) assumes an unpaid leave of absence for the~~
 20 ~~term as a member. The employing district shall grant such leave of~~
 21 ~~absence when requested by any employee for the purpose of the employee~~
 22 ~~-serving as a member of such board. A member of a governing body of any~~
 23 ~~one of the municipalities within the areas of the district may not serve~~
 24 ~~on the original board of directors under sections 70-603 to 70-609.~~
 25 ~~(b) For purposes of this subsection, high-level manager means a~~
 26 ~~person employed by a district who serves in a high-level managerial~~
 1 ~~position, including chief executive officer, president, vice president,~~
 2 ~~chief financial officer, chief operations officer, general manager, or~~
 3 ~~assistant general manager.~~
 4 Sec. 30. Section 70-1001, Reissue Revised Statutes of Nebraska, is
 5 amended to read:
 6 70-1001 (1) In order to provide the citizens of the state with
 7 adequate and reliable electric service at as low overall cost as
 8 possible, consistent with sound business practices, it is the policy of
 9 this state to avoid and eliminate conflict and competition between public
 10 power districts, public power and irrigation districts, individual

11 municipalities, registered groups of municipalities, electric membership
 12 associations, and cooperatives in furnishing electric energy to retail
 13 and wholesale customers, to avoid and eliminate the duplication of
 14 facilities and resources which result therefrom, and to facilitate the
 15 settlement of rate disputes between suppliers of electricity.
 16 (2) It is also the policy of the state to prepare for an evolving
 17 retail electricity market if certain conditions are met which indicate
 18 that retail competition is in the best interests of the citizens of the
 19 state. The determination on the timing and form of competitive markets is
 20 a matter properly left to the states as each state must evaluate the
 21 costs and benefits of a competitive retail market based on its own unique
 22 conditions. Consequently, there is a need for the state to monitor
 23 whether the conditions necessary for its citizens to benefit from retail
 24 competition exist.
 25 (3) It is also the policy of the state to encourage and allow
 26 opportunities for private developers to develop, own, and operate
 27 renewable energy facilities intended for sale at wholesale under a
 28 statutory framework which protects the ratepayers of consumer-owned
 29 utility systems operating in the state from subsidizing the costs of such
 30 export facilities through their rates.
 31 Sec. 31. Section 70-1001.01, Reissue Revised Statutes of Nebraska,
 1 is amended to read:
 2 70-1001.01 For purposes of sections 70-1001 to 70-1028, unless the
 3 context otherwise requires:
 4 (1) Board means the Nebraska Power Review Board;
 5 (2) Electric ~~supplier~~ ~~suppliers~~ or ~~supplier~~ ~~suppliers~~ of electricity
 6 means any legal entity supplying, producing, or distributing electricity
 7 within the state for sale at wholesale or retail;
 8 (3) Private electric supplier means an electric supplier producing
 9 electricity from a privately developed renewable energy generation
 10 facility that is not a public power district, a public power and
 11 irrigation district, a municipality, a registered group of
 12 municipalities, an electric cooperative, an electric membership
 13 association, any other governmental entity, or any combination thereof;
 14 (4) Privately developed renewable energy generation facility means a
 15 facility that (a) generates electricity using solar, wind, geothermal,
 16 biomass, landfill gas, or biogas, including all electrically connected
 17 equipment used to produce, collect, and store the facility output up to
 18 and including the transformer that steps up the voltage to sixty thousand
 19 volts or greater, and including supporting structures, buildings, and
 20 roads, unless otherwise agreed to in a joint transmission development
 21 agreement, (b) is developed, constructed, and owned, in whole or in part,
 22 by one or more private electric suppliers, and (c) is not wholly owned by
 23 a public power district, a public power and irrigation district, a
 24 municipality, a registered group of municipalities, an electric
 25 cooperative, an electric membership association, any other governmental
 26 entity, or any combination thereof;
 27 (5) Regional transmission organization means an entity independent
 28 from those entities generating or marketing electricity at wholesale or
 29 retail, which has operational control over the electric transmission
 30 lines in a designated geographic area in order to reduce constraints in
 31 the flow of electricity and ensure that all power suppliers have open
 1 access to transmission lines for the transmission of electricity;
 2 (6) Reliable or reliability means the ability of an electric
 3 supplier to supply the aggregate electric power and energy requirements
 4 of its electricity consumers in Nebraska at all times under normal
 5 operating conditions, taking into account scheduled and unscheduled
 6 outages, including sudden disturbances or unanticipated loss of system
 7 components that are to be reasonably expected for any electric utility
 8 following prudent utility practices, recognizing certain weather

9 conditions and other contingencies may cause outages at the distribution,
 10 transmission, and generation level;

11 ~~(7)~~ (6) Representative organization means an organization designated
 12 by the board and organized for the purpose of providing joint planning
 13 and encouraging maximum cooperation and coordination among electric
 14 suppliers. Such organization shall represent electric suppliers owning a
 15 combined electric generation plant accredited capacity of at least ninety
 16 percent of the total electric generation plant accredited capacity
 17 constructed and in operation within the state;

18 ~~(8)~~ (7) State means the State of Nebraska; and

19 ~~(9)~~ (8) Unbundled retail rates means the separation of utility bills
 20 into the individual price components for which an electric supplier
 21 charges its retail customers, including, but not limited to, the separate
 22 charges for the generation, transmission, and distribution of
 23 electricity.

24 Sec. 32. Section 70-1025, Reissue Revised Statutes of Nebraska, is
 25 amended to read:

26 70-1025 (1) The representative organization shall file with the
 27 board a coordinated long-range power supply plan containing the following
 28 information:

29 (a) The identification of all electric generation plants operating
 30 or authorized for construction within the state that have a rated
 31 capacity of at least twenty-five thousand kilowatts;

1 (b) The identification of all transmission lines located or
 2 authorized for construction within the state that have a rated capacity
 3 of at least two hundred thirty kilovolts; and

4 (c) The identification of all additional planned electric generation
 5 and transmission requirements needed to serve estimated power supply
 6 demands within the state for a period of twenty years.

7 (2) ~~The Beginning in 1986,~~ the representative organization shall
 8 file with the board the coordinated long-range power supply plan
 9 specified in subsection (1) of this section, and the board shall
 10 determine the date on which such report is to be filed, except that such
 11 report shall not be required to be filed more often than biennially.

12 (3) An annual load and capability report shall be filed with the
 13 board by the representative organization. The report shall include:

14 ~~(a) Statewide statewide~~ utility load forecasts and the resources
 15 available to satisfy the loads over a twenty-year period; and -

16 ~~(b) Such other information as the board requests if such request is~~
 17 ~~submitted in writing to the representative organization, is consistent~~
 18 ~~with the board's statutory responsibilities, and can be performed at a~~
 19 ~~reasonable cost.~~

20 (4) The annual load and capability report shall be filed on dates
 21 specified by the board.

22 Sec. 33. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,
 23 15, 16, 17, 18, 19, 20, 29, 30, 31, 32, and 34 of this act become
 24 operative three calendar months after the adjournment of this legislative
 25 session. The other sections of this act become operative on their
 26 effective date.

27 Sec. 34. Original sections 70-619, 70-1001, 70-1001.01, and
 28 70-1025, Reissue Revised Statutes of Nebraska, are repealed.

29 Sec. 36. Since an emergency exists, this act takes effect when
 30 passed and approved according to law.

The third committee amendment is as follows:

[AM1244](#)

(Amendments to Standing Committee amendments, AM827)

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

3 Sec. 21. Section 66-2301, Revised Statutes Cumulative Supplement,

4 2022, is amended to read:

5 66-2301 (1) The Legislature finds that there is a unique benefit
 6 for the state to compete for designation by the United States Department
 7 of Energy as a location for a regional clean hydrogen hub. The
 8 development of a clean hydrogen hub in the state would provide the
 9 potential for significant investments in clean energy production, new
 10 infrastructure, and high-paying careers. The Legislature further finds
 11 that Nebraska is in a unique position to compete due to its central
 12 location, existing clean hydrogen-producing industry, synthetic and
 13 biofuels industry, demand for fertilizer used by its large agricultural
 14 industry, and railroad and trucking transportation network.

15 (2)(a) ~~(4)~~ The Department of Economic Development shall create the
 16 Nebraska Hydrogen Hub Industry Work Group. The Governor shall appoint
 17 members to the work group that include, but are not limited to,
 18 representatives from the following sectors: ~~(i) (a)~~ Manufacturing or
 19 industry, ~~(ii) (b)~~ agriculture, ~~(iii) (c)~~ transportation, and ~~(iv) (d)~~
 20 energy. The work group may include a representative of a clean hydrogen
 21 manufacturer.

22 (b) ~~(2)~~ The purpose of the work group is to develop and draft a
 23 competitive proposal which may be submitted to the United States
 24 Department of Energy to be selected as one of the ~~four~~ regional clean
 25 hydrogen hubs authorized under the federal Infrastructure Investment and
 26 Jobs Act, Public Law 117-58.

1 (c) ~~(3)~~ The Department of Economic Development may contract with
 2 private consultants to create the competitive proposal. Specifically, the
 3 work group shall determine how to maximize the state's geographic
 4 location to connect a nationwide hydrogen network. Additionally, the work
 5 group shall build a plan to make the case for an agricultural-based clean
 6 hydrogen hub, expanding the existing eligible purposes.

7 (3) It is the intent of the Legislature to appropriate two hundred
 8 fifty thousand dollars from the General Fund for FY2023-24 and two
 9 hundred fifty thousand dollars from the General Fund for FY2024-25 to the
 10 Department of Economic Development for the purpose of providing grants to
 11 any public power district that serves a majority of the counties in the
 12 state to be used for engineering and modeling work to prepare and support
 13 the state in competing for one of the United States Department of
 14 Energy's regional clean hydrogen hub designations and associated federal
 15 funding.

16 (4) The Department of Economic Development may adopt and promulgate
 17 rules and regulations to carry out the grant program described in
 18 subsection (3) of this section.

19 Sec. 33. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,
 20 15, 16, 17, 18, 19, 20, 29, 30, 31, 32, and 34 of this act become
 21 operative three calendar months after the adjournment of this legislative
 22 session. The other sections of this act become operative on their
 23 effective date.

24 Sec. 35. Original section 66-2301, Revised Statutes Cumulative
 25 Supplement, 2022, is repealed.

26 Sec. 36. Since an emergency exists, this act takes effect when
 27 passed and approved according to law.

The fourth committee amendment is as follows:

[AM1241](#)

(Amendments to Standing Committee amendments, AM827)

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Sec. 22. Sections 22 to 28 of this act shall be known and may be
 4 cited as the Nuclear and Hydrogen Development Act.
 5 Sec. 23. The Legislature finds and declares that it is the policy of
 6 the Legislature to support the advanced nuclear and hydrogen industries.

7 Sec. 24. For purposes of the Nuclear and Hydrogen Development Act:
8 (1) Department means the Department of Economic Development; and
9 (2) Work group means the Nuclear and Hydrogen Industry Work Group
10 created in section 25 of this act.

11 Sec. 25. (1) The department shall create the Nuclear and Hydrogen
12 Industry Work Group.

13 (2) The work group shall consist of the following twelve members:

14 (a) One representative of the Nebraska community college system;

15 (b) One representative of the Nebraska state college system;

16 (c) Two representatives of the nuclear industry;

17 (d) Two representatives of the hydrogen industry;

18 (e) One representative of a public power district;

19 (f) Two at-large members;

20 (g) The Director of Economic Development or a designee of the
21 director;

22 (h) The chairperson of the Natural Resources Committee of the
23 Legislature or a designee of the chairperson; and

24 (i) The chairperson of the Government, Military and Veterans Affairs
25 Committee of the Legislature or a designee of the chairperson.

26 (3) The work group members described in subdivisions (2)(a) through
1 (f) of this section shall be appointed by the Governor. The work group
2 members described in subdivisions (2)(h) and (i) of this section shall
3 serve as ex officio, nonvoting members.

4 (4)(a) Each work group member described in subdivisions (2)(a)
5 through (f) of this section may receive a per diem of sixty dollars for
6 each day such member attends a meeting of the work group or is engaged in
7 matters concerning the work group, except that no work group member shall
8 receive more than one thousand dollars in per diems per year under this
9 subdivision.

10 (b) Each such work group member shall be reimbursed for travel and
11 lodging expenses for the performance of such member's duties while
12 carrying out the Nuclear and Hydrogen Development Act as provided in
13 sections 81-1174 to 81-1177 to be paid out of the Nuclear and Hydrogen
14 Development Fund.

15 Sec. 26. The work group shall examine and make recommendations to
16 the department regarding the workforce training needs of the nuclear and
17 hydrogen industries and provide an opportunity for collaboration of such
18 industries with the Nebraska community college system and Nebraska state
19 college system to develop education training courses.

20 Sec. 27. The department shall establish procedures and criteria for
21 awarding grants to community colleges and state colleges that implement
22 education training courses designed to alleviate the workforce training
23 needs of the nuclear and hydrogen industries based on the recommendations
24 of the work group. The grants awarded by the department shall be used for
25 equipment, curriculum, programming, or marketing needed to provide such
26 education training courses.

27 Sec. 28. (1) The Nuclear and Hydrogen Development Fund is created.
28 The department shall administer the fund to provide per diems and travel
29 and lodging reimbursement to members of the work group as provided under
30 section 25 of this act. The fund shall consist of money transferred by
31 the Legislature. The State Treasurer shall transfer two hundred thousand
1 dollars to the fund from the General Fund as soon as administratively
2 possible after the operative date of this section.

3 (2) The Nuclear and Hydrogen Development Fund terminates on July 31,
4 2028, and the State Treasurer shall transfer any money in the fund on
5 such date to the General Fund.

6 Sec. 33. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,
7 15, 16, 17, 18, 19, 20, 29, 30, 31, 32, and 34 of this act become
8 operative three calendar months after the adjournment of this legislative
9 session. The other sections of this act become operative on their

10 effective date.

11 Sec. 36. Since an emergency exists, this act takes effect when
12 passed and approved according to law.

The first committee amendment, [AM1240](#), found in this day's Journal, was offered.

PRESIDENT KELLY PRESIDING

Senator Hunt offered [MO650](#), found on page 961, to bracket until June 1, 2023.

Pending.

COMMITTEE REPORTS Nebraska Retirement Systems

LEGISLATIVE BILL 160. Placed on General File.

(Signed) Mike McDonnell, Chairperson

Revenue

LEGISLATIVE BILL 616. Placed on General File with amendment.
[AM645](#) is available in the Bill Room.

(Signed) Lou Ann Linehan, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 87. Introduced by Arch, 14.

WHEREAS, the Nebraska Press Association was founded in 1873 and is one of Nebraska's oldest trade associations; and

WHEREAS, the Nebraska Press Association has one hundred fifty daily and weekly newspaper members from across Nebraska; and

WHEREAS, newspapers serve an important role in communities including informing Nebraskans of local, regional, and statewide news and events; and

WHEREAS, community newspapers chronicle and archive the lives and events of communities as the first draft of history; and

WHEREAS, newspapers foster civic engagement and participation in local democracy and assist local and nonprofit organizations in fulfilling their missions.

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

1. That the Legislature congratulates the Nebraska Press Association on one hundred and fifty years since its founding.

2. That a copy of this resolution be sent to the Nebraska Press Association.

Laid over.

MESSAGE FROM THE GOVERNOR

April 3, 2023

Mr. President, Speaker Arch
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Arch, and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed as Director of the Department of Correctional Services:

Robey L. Jeffreys
861 South State Street
Lincoln, IL 62656

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Jim Pillen
Governor

Enclosures

REPORT

The following report was received by the Legislature:

Retirement Systems, Public Employees

Nebraska County Cash Balance Plan, Cost Study for additional contributions

AMENDMENTS - Print in Journal

Senator Raybould filed the following amendment to [LB753](#):
[AM1233](#)

(Amendments to Standing Committee amendments, AM338)

1 1. On page 3, line 15, after "will" insert "give priority in the
2 following order"; and strike lines 16 through 31 and insert the following
3 new subdivisions:
4 "(i) Eligible students whose household income levels do not exceed
5 one hundred percent of the federal poverty level;

6 (ii) Eligible students whose household income levels exceed one
7 hundred percent of the federal poverty level but do not exceed one
8 hundred eighty-five percent of the federal poverty level;
9 (iii) Eligible students who are in a family with a parent or
10 guardian actively serving in a branch of the armed forces of the United
11 States or in the National Guard, or whose parent or guardian was killed
12 -serving in the line of duty;
13 (iv) The sibling of a student who is receiving an education
14 scholarship, so long as the sibling resides in the same household as such
15 student;
16 (v) Eligible students whose application for the enrollment option
17 program established in section 79-234 has been denied;
18 (vi) Eligible students who have an individualized education plan;
19 (vii) Eligible students who are experiencing bullying, harassment,
20 hazing, assault, battery, kidnapping, robbery, sexual offenses, threat or
21 intimidation, or fighting at school; and
22 (viii) Eligible students who are in foster care;".
23 2. On page 4, strike lines 1 through 17.
24 3. On page 5, line 20; page 6, line 18; page 7, line 11; and page 8,
25 line 2, strike "five" and insert "two".
26 4. On page 7, line 2, strike "million" and insert "hundred
1 thousand"; and in line 26 strike "one hundred" and insert "fifty".
2 5. On page 9, line 20, strike "twenty-five" and insert "one"; in
3 line 25 after "year" insert ", except that no increase in the annual
4 limit shall occur unless all public education funding obligations of the
5 state are fully funded and disbursed"; and in line 26 strike "one
6 hundred" and insert "thirty".
7 6. On page 10, strike beginning with "its" in line 7 through line 17
8 and insert "at least ninety percent of its revenue for education
9 scholarships and no more than ten percent of its revenue shall be used or
10 reserved for administrative costs."
11 7. On page 11, line 17, after "Act" insert "that shall be reviewed
12 and approved by the Legislature".

Senator Sanders filed the following amendment to [LB583](#):

[AM1229](#)

(Amendments to Standing Committee amendments, AM970)

1 1. On page 1, lines 10 and 11, 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](#):

[AM1230](#)

(Amendments to Standing Committee amendments, AM970)

1 1. On page 16, line 4, strike "Tax Equity and Educational
2 Opportunities Support Act", show as stricken, and insert "Education
3 Future Act".

Senator Hunt filed the following amendment to [LB565](#):

[AM1227](#)

(Amendments to Standing Committee amendments, AM827)

1 1. Strike sections 29 to 32 and 34.
2 2. Renumber the remaining sections and correct internal references
3 accordingly.

Senator Hunt filed the following amendment to [LB565](#):

[AM1228](#)

(Amendments to Standing Committee amendments, AM827)

1 1. Strike sections 1 to 20.
2 2. Renumber the remaining sections and correct internal references
3 accordingly.

CONFLICT OF INTEREST STATEMENT

Pursuant to Rule 1, Sec. 19, Senator Wishart has filed a Potential Conflict of Interest Statement under the Nebraska Political Accountability and Disclosure Act. The statement is on file in the Clerk of the Legislature's Office.

ANNOUNCEMENT

Senator Albrecht announced Committee on Committees will hold a meeting on Tuesday, April 11, 2023, at 10:00 a.m., in Room 1525.

UNANIMOUS CONSENT - Add Cointroducers

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

Senator Raybould name added to LB44.

Senator Bostar name added to LB76.

Senator von Gillern name added to LB165.

Senator Moser name added to LB412.

Senator Brewer name added to LB471.

Senator Ibach name added to LB472.

VISITORS

Visitors to the Chamber were Ashlinn Chappellear, Omaha; students from Freeman Public Schools, Adams; students from Wilber-Clatonia High School, Wilber; students from Longfellow Elementary, Hastings; students from Wayne Elementary, Wayne; students from Centura Elementary, Cairo; students from Belle Elementary, Papillion.

ADJOURNMENT

At 3:03 p.m., on a motion by Senator DeKay, the Legislature adjourned until 9:00 a.m., Tuesday, April 11, 2023.

Brandon Metzler
Clerk of the Legislature

