

SEVENTH DAY - JANUARY 12, 2023**LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION****SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, January 12, 2023

PRAYER

The prayer was offered by Pastor Doyle Karst, Christ Lutheran of Pickrell, Pickrell.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Brewer.

ROLL CALL

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

The roll was called and all members were present except Senators Blood, M. Cavanaugh, and Conrad who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

| LB/LR | Committee |
|--------------|---|
| LB206 | Revenue |
| LB207 | Banking, Commerce and Insurance |
| LB208 | Government, Military and Veterans Affairs |
| LB209 | Revenue |
| LB210 | Banking, Commerce and Insurance |
| LB211 | Revenue |
| LB212 | Transportation and Telecommunications |
| LB213 | Revenue |
| LB214 | Banking, Commerce and Insurance |

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| LB215 | Executive Board |
| LB216 | Health and Human Services |
| LB217 | Natural Resources |
| LB218 | Agriculture |
| LB219 | Health and Human Services |
| LB220 | Judiciary |
| LB221 | Nebraska Retirement Systems |
| LB222 | Education |
| LB223 | Urban Affairs |
| LB224 | Urban Affairs |
| LB225 | Education |
| LB226 | Transportation and Telecommunications |
| LB227 | Health and Human Services |
| LB228 | Government, Military and Veterans Affairs |
| LB229 | Agriculture |
| LB230 | Government, Military and Veterans Affairs |
| LB231 | Education |
| LB232 | General Affairs |
| LB233 | Health and Human Services |
| LB234 | Transportation and Telecommunications |
| LB235 | Revenue |
| LB236 | Judiciary |
| LB237 | Appropriations |
| LB238 | Education |
| LB239 | Revenue |
| LB240 | Judiciary |
| LB241 | Natural Resources |
| LB242 | Revenue |
| LB243 | Revenue |
| LB244 | Revenue |
| LB245 | Health and Human Services |
| LB246 | Urban Affairs |
| LB247 | Transportation and Telecommunications |
| LB248 | Judiciary |
| LB249 | Business and Labor |
| LB250 | Government, Military and Veterans Affairs |
| LB251 | Revenue |
| LB252 | Government, Military and Veterans Affairs |
| LB253 | Judiciary |
| LB254 | Executive Board |
| LB255 | Natural Resources |
| LB256 | Banking, Commerce and Insurance |
| LB257 | General Affairs |
| LB258 | General Affairs |
| LB259 | General Affairs |
| LB260 | Judiciary |
| LB261 | Health and Human Services |
| LB262 | Agriculture |
| LB263 | Agriculture |

LB264 Agriculture
 LB265 Judiciary
 LB266 Transportation and Telecommunications
 LB267 Business and Labor
 LB268 Government, Military and Veterans Affairs
 LB269 Government, Military and Veterans Affairs
 LB270 Judiciary
 LB271 Judiciary
 LB272 Business and Labor
 LB273 Appropriations
 LB274 Urban Affairs
 LB275 Appropriations
 LB276 Health and Human Services
 LB277 Government, Military and Veterans Affairs
 LB278 Banking, Commerce and Insurance

(Signed) Tom Briese, Chairperson
Executive Board

EXECUTIVE BOARD REPORT

Senator Briese, Chairperson of the Executive Board, reported the appointments of the following members of the Legislature to the following special committees:

Building Maintenance

Senator Clements
 Senator Dorn
 Senator Hughes
 Senator Ibach
 Senator McDonnell
 Senator von Gillern (Chair)

Committee on Justice Reinvestment Oversight

Senator John Cavanaugh
 Senator DeKay
 Senator Holdcroft
 Senator Raybould
 Senator Wayne (Chair)

Education Commission of the States

Senator Kauth
 Senator Linehan
 Senator Walz

Homeland Security Policy Group

Senator McDonnell
 Senator Sanders

Interstate Compact for Adult Offender Supervision

Senator Dungan

Legislative Performance Audit Committee

Senator Arch

Senator Briese

Senator Machaela Cavanaugh

Senator Clements

Senator Dorn

Speaker Geist

Senator Jacobson

Legislature's Planning Committee

Senator Arch

Senator Bostar

Senator Briese

Senator John Cavanaugh

Senator Clements

Senator DeBoer

Senator Holdcroft

Senator Ibach

Senator Vargas

Midwestern Higher Education Compact Commission (Midwest Compact)

Senator John Cavanaugh

Senator Walz

Nebraska Information Technology Commission

Senator DeBoer

Rural Broadband Task Force

Senator Bostelman

Senator Geist

State Council for Interstate Juvenile Supervision

Senator Fredrickson

State-Tribal Relations Committee

Senator Albrecht

Senator Brewer

Senator Day (Chair)

Senator DeKay (Vice-Chair)

Senator Hunt

Senator Wayne

Senator Wishart

Statewide Tourism and Recreational Water Access and Resource
Sustainability (STAR WARS) Special Committee

Senator Arch (Chair)
Senator Ballard
Senator Bostar
Senator Bostelman
Senator DeKay
Senator Dover
Senator Holdcroft
Senator Jacobson
Senator McDonnell
Senator Raybould
Senator Wishart

Streamlined Sales and Use Tax System

Senator Bostar
Senator Linehan

(Signed) Tom Briese, Chairperson
Legislative Council, Executive Board

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR13.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 338. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to criminal justice; to amend sections 29-426, 29-908, 29-2262.06, 29-2266, 29-2266.01, 29-2266.02, 29-2267, 29-2270, 29-2284, 43-3301, 43-3314, 43-3318, and 83-1,110.03, Reissue Revised Statutes of Nebraska, and sections 28-105, 29-901, 29-2268, 29-2278, 83-1,107.01, 83-1,119, 83-1,121, 83-1,122, and 83-1,135.02, Revised Statutes Cumulative Supplement, 2022; to require open court hours in certain counties; to change provisions relating to mandatory minimum sentences, penalties and warrants for failure to appear, and use of electronic or global-positioning monitoring or home confinement during pretrial release; to require sentencing credit for time monitored or under home confinement; to provide for non-imprisonment sentences for caregivers as prescribed; to automatically suspend child support obligations for defendants sentenced to one or more years' imprisonment; to change provisions relating to probation sanctions and revocations, suspension of operator's licenses under the License Suspension Act, and parole sanctions and revocations; to define and redefine terms; to provide for applicability; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 339. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to juveniles; to amend sections 28-105.02, 29-401, 43-248.01, and 43-249, Reissue Revised Statutes of Nebraska, and sections 28-105.01, 29-2204, 43-245, 43-250, 43-253, and 43-2,129, Revised Statutes Cumulative Supplement, 2022; to require confidentiality for criminal prosecutions of minors tried as adults and certain adjudications under the Nebraska Juvenile Code; to change provisions relating to sentences for crimes committed by persons under twenty-two years of age; to extend jurisdiction under the Nebraska Juvenile Code to twenty-two years of age; to provide requirements for custodial interrogations of juveniles and young adults; to define terms; to prohibit the use of certain statements in court proceedings as prescribed; to provide for using and reimbursing day reporting and evening reporting centers for juveniles; to prohibit sending juveniles out-of-state as prescribed; to establish the family resource and juvenile assessment center pilot program; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 340. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to the Student Discipline Act; to amend section 79-266, Reissue Revised Statutes of Nebraska; to change provisions relating to expelled students; and to repeal the original section.

LEGISLATIVE BILL 341. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to civil actions; to amend sections 13-901 and 81-8,235, Reissue Revised Statutes of Nebraska, and section 25-228, Revised Statutes Cumulative Supplement, 2022; to adopt the State and Political Subdivisions Child Sexual Abuse Liability Act; to change provisions relating to a statute of limitations for actions by child sexual abuse victims; to exempt actions from the Political Subdivisions Tort Claims Act and the State Tort Claims Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 342. Introduced by Hardin, 48.

A BILL FOR AN ACT relating to home inspection; to amend sections 76-3602, 76-3603, and 76-3604, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to home inspector registration and change in information reporting; and to repeal the original sections.

LEGISLATIVE BILL 343. Introduced by Slama, 1.

A BILL FOR AN ACT relating to government; to prohibit public contracts with companies that boycott Israel as prescribed; to define terms; and to provide severability.

LEGISLATIVE BILL 344. Introduced by Armendariz, 18.

A BILL FOR AN ACT relating to the Nebraska Property Tax Incentive Act; to amend section 77-6702, Revised Statutes Cumulative Supplement, 2022; to exclude certain delinquent taxes from qualifying for tax credit; and to repeal the original section.

LEGISLATIVE BILL 345. Introduced by Armendariz, 18.

A BILL FOR AN ACT relating to the Health Care Facility Licensure Act; to amend sections 71-401 and 71-403, Revised Statutes Cumulative Supplement, 2022; to define a term; and to repeal the original sections.

LEGISLATIVE BILL 346. Introduced by Brandt, 32.

A BILL FOR AN ACT relating to the Local Option Municipal Economic Development Act; to amend section 18-2709, Reissue Revised Statutes of Nebraska; to redefine a qualifying business as prescribed; and to repeal the original section.

LEGISLATIVE BILL 347. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to scrap metal recycling; to amend sections 69-401, 69-402, 69-404, 69-405, and 69-408, Reissue Revised Statutes of Nebraska; to define a term; to change provisions relating to the purchase of and payment for certain regulated metals property; to provide for restrictions on the sale of catalytic converters; to change a penalty; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 348. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to treatment and corrections; to amend sections 28-912, 47-902, 47-903, and 81-8,240, Reissue Revised Statutes of Nebraska, and sections 29-2261, 81-8,244, 83-1,100, 83-1,102, 83-1,107, 83-901, 83-903, and 83-904, Revised Statutes Cumulative Supplement, 2022; to adopt the Community Work Release and Treatment Centers Act; to provide powers and duties for the Board of Parole, the Office of Probation Administration, the office of Inspector General of the Nebraska Correctional System, the Public Counsel, the Division of Parole Supervision, and the Department of Correctional Services; to change provisions relating to escape from official detention; to provide for access to presentence investigation reports and other records; to transfer responsibility for certain programs and services from the Department of Correctional Services to the Board of Parole; to require reports; to redefine terms; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal section 83-933, Revised Statutes Cumulative Supplement, 2022.

LEGISLATIVE BILL 349. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Business Innovation Act; to amend sections 81-12,156, 81-12,157, 81-12,158, 81-12,159, 81-12,160, 81-12,161, 81-12,162, and 81-12,163, Revised Statutes Cumulative Supplement, 2022; to provide a requirement relating to the selection of projects; to change funding limitations as prescribed; to state intent relating to appropriations; to eliminate obsolete provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 350. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-908, 77-2715.07, 77-2717, 77-2734.03, and 77-3806, Revised Statutes Cumulative Supplement, 2022; to adopt the Pioneer Economic Tax Credit Act; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 351. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Nebraska Hospital-Medical Liability Act; to amend sections 44-2824, 44-2825, 44-2827, 44-2829, 44-2830, 44-2831, 44-2831.01, 44-2832, and 44-2833, Reissue Revised Statutes of Nebraska; to increase and eliminate limits on medical malpractice liability; to change provisions relating to proof of financial responsibility and the Excess Liability Fund; to provide for applicability; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 352. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to criminal justice; to amend sections 24-1302, 28-116, 28-507, 28-518, 29-2204.02, 29-2221, 29-2263, 29-2269, 29-2281, 29-3603, 50-434, 71-5661, 71-5662, 71-5663, 71-5665, 71-5666, 71-5669.01, and 83-1,110, Reissue Revised Statutes of Nebraska, and sections 28-101, 28-105, 28-416, 28-1351, 28-1354, 29-2204, 71-5668, 83-1,100.02, 83-1,111, 83-1,114, 83-1,122.01, 83-1,135, and 83-1,135.02, Revised Statutes Cumulative Supplement, 2022; to change provisions regarding problem solving courts, mandatory minimums, penalties and provisions relating to controlled substances, theft, burglary, sentencing, set asides, restitution, pretrial diversion, and parole; to provide for applicability; to state legislative intent regarding appropriations; to create pilot programs relating to courts, probation, and parole; to create the Justice Reinvestment Oversight Task Force; to terminate the Committee on Justice Reinvestment Oversight; to provide for parole for geriatric offenders; to define terms; to provide duties for courts, the probation administrator, the Board of Parole, the Division of Parole Supervision, the State Court Administrator, and the Department of Correctional Services; to provide for additional benefits under the Rural Health Systems and Professional Incentive Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 353. Introduced by Raybould, 28.

A BILL FOR AN ACT relating to nursing facilities; to provide for grants for certain projects relating to long-term care facility capacity; to provide duties for the Department of Health and Human Services; to state intent regarding appropriations; and to declare an emergency.

LEGISLATIVE BILL 354. Introduced by Raybould, 28.

A BILL FOR AN ACT relating to insurance; to amend section 44-6412, Reissue Revised Statutes of Nebraska; to change underinsured motor vehicle insurance provisions relating to offers and agreements to settle; and to repeal the original section.

LEGISLATIVE BILL 355. Introduced by Raybould, 28.

A BILL FOR AN ACT relating to transportation network companies; to amend section 75-333, Reissue Revised Statutes of Nebraska; to change a requirement relating to uninsured and underinsured motorist coverage; and to repeal the original section.

LEGISLATIVE BILL 356. Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Nebraska Opportunity Grant Act; to amend sections 85-1906 and 85-1907, Reissue Revised Statutes of Nebraska; to define and redefine terms; and to repeal the original sections.

LEGISLATIVE BILL 357. Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Disabled Persons and Family Support Act; to amend section 68-1512, Reissue Revised Statutes of Nebraska; to change the maximum support allowable under the Disabled Persons and Family Support Act; and to repeal the original section.

LEGISLATIVE BILL 358. Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Cumulative Supplement, 2022; to state legislative intent for dental services reimbursement; and to repeal the original section.

LEGISLATIVE BILL 359. Introduced by Hughes, 24.

A BILL FOR AN ACT relating to the Nebraska Broadband Bridge Act; to amend section 86-1304, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to application deadlines; and to repeal the original section.

LEGISLATIVE BILL 360. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to government; to amend sections 81-8,241, 81-8,244, and 81-8,245, Revised Statutes Cumulative Supplement, 2022; to adopt the Office of Inspector General of Nebraska Procurement Act; to change provisions relating to the Public Counsel; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 361. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to the Precision Agriculture Infrastructure Grant Act; to amend section 86-1403, Revised Statutes Cumulative Supplement, 2022; to change provisions of the Precision Agriculture Infrastructure Grant Program; to state legislative intent to appropriate money; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 362. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to state intent regarding a rate increase for behavioral health services; and to declare an emergency.

LEGISLATIVE BILL 363. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to courts; to amend sections 22-417, 23-120, 23-121, 24-337.04, 24-507, 32-524, and 43-512.05, Reissue Revised Statutes of Nebraska, and section 33-106.02, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to consolidation of county offices, duties of counties to supply materials, and residency requirements for elected clerks of the district courts; to provide for transitioning the duties of clerk of the district court in certain counties to clerk magistrates; to change certain county employees to state employees; to change provisions relating to elections for clerks of the district court, court fees, and reimbursement for costs relating to administration and enforcement of child, spousal, and medical support; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 364. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to elections; to amend sections 11-105, 11-115, 11-119, 11-125, 11-126, 22-417, 23-405, 23-2518, 32-211, 32-213, 32-214, 32-218, 32-219, 32-242, 32-555, 32-811, and 32-1201, Reissue Revised Statutes of Nebraska, and sections 32-101, 32-207, 32-208, 32-217, 32-615, and 32-1049, Revised Statutes Cumulative Supplement, 2022; to provide for election of election commissioners; to change and eliminate provisions related to official bonds, consolidation of county offices, deputy county clerks for elections, civil service commissions, chief deputy election commissioners, removal from office, and vacancies; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal sections 32-209 and 32-210, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 365. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to elections; to amend section 32-960, Revised Statutes Cumulative Supplement, 2022; to permit counties to conduct elections by mail; and to repeal the original section.

LEGISLATIVE BILL 366. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to public records; to amend sections 84-712, 84-712.01, and 84-712.07, Reissue Revised Statutes of Nebraska, and sections 81-1454, 84-712.03, and 84-712.05, Revised Statutes Cumulative Supplement, 2020; to provide that recordings from body-worn cameras of peace officers depicting the death of a person being apprehended or in custody are public records; to change public records provisions relating to residents, nonresidents, fees, and remedies; to define a term; and to repeal the original sections.

LEGISLATIVE BILL 367. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to relating to labor; to amend section 48-202, Reissue Revised Statutes of Nebraska; to adopt the Fair Chance Hiring Act; to prohibit public and private employers and employment agencies from asking for criminal history as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 368. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to criminal justice; to create a grant program to expand and enhance county criminal justice efforts relating to treatment, rehabilitation, and diversion; to provide duties for the Nebraska Commission on Law Enforcement and Criminal Justice; to define terms; and to state intent regarding appropriations.

LEGISLATIVE BILL 369. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to property taxes; to amend section 77-120, Reissue Revised Statutes of Nebraska; to change provisions relating to net book value; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 370. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to property taxes; to amend section 77-1701, Reissue Revised Statutes of Nebraska; to require a notice relating to the availability of certain tax credits; and to repeal the original section.

LEGISLATIVE BILL 371. Introduced by Murman, 38; Albrecht, 17; Brewer, 43; Clements, 2; Erdman, 47; Halloran, 33; Holdcroft, 36; Kauth, 31; Lippincott, 34.

A BILL FOR AN ACT relating to crimes and offenses; to prohibit an individual under nineteen years of age or under twenty-one years of age from being present at a drag show as prescribed; to define a term; to provide a penalty; and to prohibit a state agency from using state funds to host a drag show.

LEGISLATIVE BILL 372. Introduced by Murman, 38; Albrecht, 17; Ballard, 21; Brewer, 43; Clements, 2; Erdman, 47; Halloran, 33; Hansen, B., 16; Holdcroft, 36; Lippincott, 34; Moser, 22; Slama, 1; Vargas, 7; von Gillern, 4.

A BILL FOR AN ACT relating to schools; to amend section 79-2,136, Revised Statutes Cumulative Supplement, 2022; to change provisions regarding part-time enrollment; to provide duties regarding extracurricular activities as prescribed; and to repeal the original section.

LEGISLATIVE BILL 373. Introduced by Murman, 38; Albrecht, 17; Brewer, 43; Briese, 41; Clements, 2; Halloran, 33; Holdcroft, 36; Kauth, 31; Lippincott, 34; McDonnell, 5; Moser, 22; Vargas, 7; Wishart, 27.

A BILL FOR AN ACT relating to appropriations; to state intent relating to appropriations to the University of Nebraska.

LEGISLATIVE BILL 374. Introduced by Murman, 38; Albrecht, 17; Brewer, 43; Clements, 2; Erdman, 47; Halloran, 33; Hansen, B., 16; Holdcroft, 36; Lippincott, 34; Moser, 22.

A BILL FOR AN ACT relating to schools; to adopt the Parents' Bill of Rights and Academic Transparency Act; to eliminate provisions relating to parental involvement in public schools; to provide operative dates; and to outright repeal sections 79-530, 79-531, 79-532, and 79-533, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 375. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-175, Reissue Revised Statutes of Nebraska, and sections 53-101, 53-123.14, and 53-123.16, Revised Statutes Cumulative Supplement, 2022; to define terms; to allow certain licensees to purchase alcoholic liquor for resale from a gas station, grocery store, liquor store, or similar establishment under certain circumstances; to provide powers and duties to the Nebraska Liquor Control Commission; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 376. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-103, Reissue Revised Statutes of Nebraska, and section

53-101, Revised Statutes Cumulative Supplement, 2022; to define a term; to require a licensed manufacturer, a licensed wholesaler, or a holder of a shipping license to submit a report and any applicable fees to the Nebraska Liquor Control Commission prior to the sale or shipment of any alcoholic liquor into the state; and to repeal the original sections.

LEGISLATIVE BILL 377. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-124.11, Revised Statutes Cumulative Supplement, 2022; to change provisions related to special designated licenses; and to repeal the original section.

LEGISLATIVE BILL 378. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to retirement; to amend sections 4-108, 4-111, 23-2306, 24-703.01, 60-1304, 79-9,118, 81-2016, and 84-1504, Reissue Revised Statutes of Nebraska, and sections 79-915 and 84-1307, Revised Statutes Cumulative Supplement, 2022; to change retirement system participation provisions relating to aliens and lawful presence; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 379. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to civil actions; to amend section 60-6,273, Reissue Revised Statutes of Nebraska; to change provisions relating to civil liability; and to repeal the original section.

LEGISLATIVE BILL 380. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the Nebraska Fair Employment Practice Act; to amend sections 48-1125 and 48-1126, Reissue Revised Statutes of Nebraska; to prohibit discrimination for exercise of rights under the Nebraska Workers' Compensation Act; to provide for jury trials; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 381. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 13-319, Reissue Revised Statutes of Nebraska, and sections 39-2510, 39-2520, 77-2703.01, 77-2703.04, 77-2704.31, 77-2705, 77-2708, 77-2711, 77-2712.05, 77-6831, 77-6832, and 77-6922, Revised Statutes Cumulative Supplement, 2022; to adopt the Mental Health Wellness Act; to authorize county sales and use taxes as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 382. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to law enforcement; to amend sections 20-502, 20-504, 25-21,303, 28-109, 28-359, 29-209, 29-406, 29-4103, 29-4502, 44-3,134, 48-202, 48-1108, 49-801, 53-1,121, 54-902, 60-3,135, 60-480.01, 60-646, 69-2429, and 86-802, Reissue Revised Statutes of Nebraska, and sections 28-311.09, 28-311.11, 28-322.05, 28-470, 28-710, 28-1008, 29-215, 42-903, 48-101.01, 71-507, 71-3414, 81-1401, 81-1452, 81-1455, and 85-2602, Revised Statutes Cumulative Supplement, 2022; to provide powers and duties for University of Nebraska police departments and police officers as prescribed; to provide and change definitions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 383. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to insurance; to amend section 44-7,102, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to coverage for screenings for colorectal cancer; and to repeal the original section.

LEGISLATIVE BILL 384. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,132, Revised Statutes Cumulative Supplement, 2022; to change the distribution of certain sales and use tax revenue as prescribed; to create a fund; to authorize the use of funds for certain infrastructure projects; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 385. Introduced by Linehan, 39; Brandt, 32.

A BILL FOR AN ACT relating to education; to adopt the Nebraska Teacher Recruitment and Retention Act.

LEGISLATIVE BILL 386. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to schools; to amend sections 77-3446 and 79-1015.01, Revised Statutes Cumulative Supplement, 2022; to prohibit changes to the base limitation and the local effort rate calculation as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 387. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to income taxes; to amend section 77-2715.03, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to a certain tax rate; and to repeal the original section.

LEGISLATIVE BILL 388. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to sales and use taxes; to amend section 77-2701.02, Reissue Revised Statutes of Nebraska; to change provisions relating to a commencement date; and to repeal the original section.

LEGISLATIVE BILL 389. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2147, Reissue Revised Statutes of Nebraska; to restrict the use of tax-increment financing as prescribed; and to repeal the original section.

LEGISLATIVE BILL 390. Introduced by Clements, 2; Ballard, 21; Brewer, 43; Halloran, 33; Hansen, B., 16; Hardin, 48; Lippincott, 34; Murman, 38; Riepe, 12; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to elections; to amend sections 32-808 and 32-943, Reissue Revised Statutes of Nebraska; to change provisions relating to delivery of ballots for early voting; to provide for return of a ballot for early voting by a voter-appointed agent; to change an agent restriction; and to repeal the original sections.

LEGISLATIVE BILL 391. Introduced by Day, 49.

A BILL FOR AN ACT relating to pregnancy; to state intent; and to provide criminal and civil immunity for pregnancy outcomes as prescribed.

LEGISLATIVE BILL 392. Introduced by Ballard, 21.

A BILL FOR AN ACT relating to insurance; to authorize the electronic delivery of certain health benefit plan documents as prescribed; and to define terms.

LEGISLATIVE BILL 393. Introduced by Erdman, 47.

A BILL FOR AN ACT relating to agriculture; to amend sections 48-301, 48-302.03, and 48-302.04, Reissue Revised Statutes of Nebraska, and section 81-2,157, Revised Statutes Cumulative Supplement, 2022; to define and redefine terms; to provide reporting requirements relating to planting seed corn; to provide a duty for the Director of Agriculture; to change and provide work conditions and requirements relating to detasseling or roguing; to provide penalties; to harmonize provisions; to repeal the original sections; and to outright repeal sections 81-2,155 and 81-2,156, Revised Statutes Cumulative Supplement, 2022.

LEGISLATIVE BILL 394. Introduced by Erdman, 47.

A BILL FOR AN ACT relating to eminent domain; to amend section 76-710.01, Reissue Revised Statutes of Nebraska; to change provisions relating to eminent domain; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 395. Introduced by Erdman, 47.

A BILL FOR AN ACT relating to the Nebraska Oil and Gas Conservation Commission; to amend section 57-904, Reissue Revised Statutes of Nebraska; to change provisions relating to the compensation of members of the commission; and to repeal the original section.

LEGISLATIVE BILL 396. Introduced by Erdman, 47; Halloran, 33; Jacobson, 42.

A BILL FOR AN ACT relating to natural resources districts; to provide for augmentation projects and to require the sale of overlying surface interests and the retention of ground water rights as prescribed; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 397. Introduced by Erdman, 47.

A BILL FOR AN ACT relating to the Game and Parks Commission; to amend section 37-104, Reissue Revised Statutes of Nebraska; to provide for the relocation of commission headquarters as prescribed; and to repeal the original section.

LEGISLATIVE BILL 398. Introduced by Erdman, 47.

A BILL FOR AN ACT relating to the Game and Parks Commission; to amend section 37-335, Reissue Revised Statutes of Nebraska; to change provisions relating to certain payments in lieu of taxes; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 399. Introduced by Brewer, 43; Erdman, 47.

A BILL FOR AN ACT relating to the Nebraska Power Review Board; to amend sections 70-1014.02 and 70-1015, Revised Statutes Cumulative Supplement, 2022; to eliminate legislative findings; to change and provide procedures relating to board approval of an application for construction of a privately developed renewable energy generation facility; to change provisions relating to unauthorized construction of certain facilities; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 400. Introduced by Brewer, 43; Erdman, 47.

A BILL FOR AN ACT relating to the Game Law; to amend section 37-201, Revised Statutes Cumulative Supplement, 2022; to adopt the Nebraska Pheasant Restoration Act; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 401. Introduced by Dorn, 30; Brandt, 32.

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

LEGISLATIVE BILL 402. Introduced by Ballard, 21.

A BILL FOR AN ACT relating to the Health Care Facility Licensure Act; to amend section 71-417, Revised Statutes Cumulative Supplement, 2022; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 403. Introduced by Vargas, 7.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-123.14, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to a craft brewery license; and to repeal the original section.

LEGISLATIVE BILL 404. Introduced by Vargas, 7.

A BILL FOR AN ACT relating to liquor; to amend sections 53-103, 53-103.14, 53-103.41, 53-201, 53-202, 53-204, 53-216, 53-217, 53-218, 53-220, 53-221, 53-222, and 53-223, Reissue Revised Statutes of Nebraska, and section 53-101, Revised Statutes Cumulative Supplement, 2022; to define and redefine terms; to change provisions relating to agreements between wholesalers and suppliers for the distribution of beer as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 405. Introduced by Vargas, 7.

A BILL FOR AN ACT relating to the Non-English-Speaking Workers Protection Act; to amend sections 48-2207, 48-2208, 48-2213, and 48-2214, Reissue Revised Statutes of Nebraska; to define a term; to change provisions relating to a report, the powers and duties of the meatpacking industry worker rights coordinator and the Commissioner of Labor; to require certain disclosures by meatpacking operations; to provide for confidentiality; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 406. Introduced by Brandt, 32; McDonnell, 5.

A BILL FOR AN ACT relating to retirement; to amend sections 16-1024 and 16-1025, Reissue Revised Statutes of Nebraska; to change retirement system contribution rates for firefighters of cities of the first class; and to repeal the original sections.

LEGISLATIVE BILL 407. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to the Nebraska Transformational Projects Act; to amend section 81-12,182, Revised Statutes Cumulative Supplement, 2022; to extend an application deadline; and to repeal the original section.

LEGISLATIVE BILL 408. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1499.03, Reissue Revised Statutes of Nebraska; to change provisions relating to certain conflicts of interest; and to repeal the original section.

LEGISLATIVE BILL 409. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1493, Reissue Revised Statutes of Nebraska; to change provisions relating to individuals required to file a statement of financial interests; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 410. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1499.03, Reissue Revised Statutes of Nebraska; to change provisions relating to certain conflicts of interest; and to repeal the original section.

LEGISLATIVE BILL 411. Introduced by Dungan, 26.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for Wyuka Cemetery; and to declare an emergency.

LEGISLATIVE BILL 412. Introduced by Geist, 25.

A BILL FOR AN ACT relating to the Nebraska Broadband Bridge Act; to amend section 86-1312, Revised Statutes Cumulative Supplement, 2022; to provide for certain administration of federal funds by the Public Service Commission as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 413. Introduced by Blood, 3.

A BILL FOR AN ACT relating to education; to amend section 79-101, Revised Statutes Cumulative Supplement, 2022; to adopt the Interstate Teacher Mobility Compact; to redefine a term; to provide a duty for the State Board of Education; and to repeal the original section.

LEGISLATIVE BILL 414. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to schools; to amend sections 79-239 and 79-244, Reissue Revised Statutes of Nebraska, and sections 79-238 and 79-2110, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the enrollment option program; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 415. Introduced by Dorn, 30; Bostelman, 23.

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

LEGISLATIVE BILL 416. Introduced by Kauth, 31.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2733, Reissue Revised Statutes of Nebraska; to change provisions relating to the taxation of nonresident income; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 417. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the Nebraska Commission on Law Enforcement and Criminal Justice; to amend section 81-1423, Revised Statutes Cumulative Supplement, 2022; to provide authority for a leadership academy; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 418. Introduced by Dungan, 26.

A BILL FOR AN ACT relating to the Motor Vehicle Safety Responsibility Act; to amend sections 60-502, 60-504, 60-523, 60-533, 60-536, 60-538, 60-539, 60-540, 60-545, 60-546, 60-550, 60-552, 60-553, 60-555, 60-556, 60-560, 60-565, 60-567, 60-568, and 60-569, Reissue Revised Statutes of Nebraska; to require certain policies issued by insurers to comply with federal minimum levels of financial responsibility for motor carriers as prescribed; to define a term; to harmonize provisions; to eliminate obsolete provisions; and to repeal the original sections.

LEGISLATIVE BILL 419. Introduced by Wishart, 27; Aguilar, 35; Albrecht, 17; Blood, 3; Cavanaugh, M., 6; Conrad, 46; Day, 49; DeBoer, 10; Dungan, 26; Geist, 25; Hughes, 24; Hunt, 8; Ibach, 44; Jacobson, 42; Kauth, 31; Linehan, 39; Raybould, 28; Sanders, 45; Slama, 1; von Gillern, 4; Walz, 15.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-911, Revised Statutes Cumulative Supplement, 2022; to require submission of a state plan amendment to extend postpartum coverage; and to repeal the original section.

LEGISLATIVE BILL 420. Introduced by Raybould, 28.

A BILL FOR AN ACT relating to public assistance; to amend section 68-130, Reissue Revised Statutes of Nebraska; to change funding for county offices; to provide an operative date; to repeal the original section; and to outright repeal section 81-1139.01, Reissue Revised Statutes of Nebraska.

RESOLUTION

LEGISLATIVE RESOLUTION 21. Introduced by Brewer, 43; Erdman, 47.

WHEREAS, the State of Nebraska needs sustainable nuclear power generation to augment fossil fuel and renewable energy generation of electric energy; and

WHEREAS, nuclear power generation of electric energy helps lower carbon emissions and eliminate greenhouse gases; and

WHEREAS, a nuclear power plant with a small modular reactor can be housed in a retrofitted or converted existing fossil fuel power plant.

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

1. That a special committee of the Legislature to be known as the Small Modular Nuclear Reactor Study Committee is created to study the feasibility of constructing and operating small modular nuclear reactors to generate electric power in Nebraska.

2. That the members of the special committee shall include the chairperson of the Natural Resources Committee of the Legislature or his or her designee, the chairperson of the Government, Military and Veterans Affairs Committee of the Legislature or his or her designee, the chairperson of the Transportation and Telecommunications Committee of the Legislature or his or her designee, the chairperson of the Appropriations Committee of the Legislature or his or her designee, and XX additional members of the Legislature appointed by the chairperson of the Executive Board of the Legislative Council.

3. That the special committee shall elect a chairperson from the membership of the committee. The executive board may provide the special committee with a legal counsel, committee clerk, and other staff required by the special committee from existing legislative staff. The special committee shall hold such meetings or public hearings at the call of the chairperson at such locations as the chairperson may decide. The special committee shall seek input from expert and interested sources, including the Nebraska Power Review Board and the public power industry in this state.

4. That the special committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Laid over.

MOTIONS - Print in Journal

Senator Conrad filed the following motion to [LB327](#):

[MO3](#)

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

Senator Hunt filed the following motion to LB371:

MO4

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

ANNOUNCEMENTS

The Rules Committee elected Senator DeBoer as Vice Chairperson.

The Transportation and Telecommunications Committee elected Senator Moser as Vice Chairperson.

The Banking, Insurance and Commerce Committee elected Senator Jacobson as Vice Chairperson.

The Legislature's Planning Committee elected Senator DeBoer as Chairperson.

The Legislature's Planning Committee elected Senator Vargas as Vice Chairperson.

Senator McDonnell announced the Nebraska Retirement Systems Committee will hold an executive session Friday, January 13, 2023, at 10:30 a.m., under the South Balcony.

Senator Clements announced the Appropriations Committee will hold an executive session Friday, January 13, 2023, at 10:15 a.m., under the South Balcony.

Senator Arch announced the Rules Committee will hold an executive session Friday, January 13, 2023, immediately after check-in, in the Wherry Room.

UNANIMOUS CONSENT - Add Cointroducer

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

Senator Conrad name added to LB18.

Senator Conrad name added to LB19.

Senator Dungan name added to LB20.

Senator Raybould name added to LB20.

Senator Hunt name added to LB20.

Senator Day name added to LB20.

Senator Conrad name added to LB20.

Senator Raybould name added to LB22.

Senator Conrad name added to LB22.

Senator Brewer name added to LB31.

Senator Jacobson name added to LB108.

Senator Hunt name added to LB323.

Senator Briese name added to LB323.
Senator Hunt name added to LB328.
Senator Conrad name added to LB328.

VISITORS

Visitors to the Chamber were students from all across Nebraska as part of Leadership Nebraska Class XIV.

The Doctor of the Day was Dr. David Hoelting of Pender.

ADJOURNMENT

At 11:44 a.m., on a motion by Senator M. Cavanaugh, the Legislature adjourned until 10:00 a.m., Friday, January 13, 2023.

Brandon Metzler
Clerk of the Legislature