

**EIGHTH DAY - JANUARY 13, 2023**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE**  
**FIRST SESSION**

**EIGHTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Friday, January 13, 2023

**PRAYER**

The prayer was offered by Senator Halloran.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Clements.

**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 Senator Sanders who was excused; and Senators Dungan, Hunt, and Linehan who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

Page 234, line 39, strike "Referred to the Executive Board" and insert "Laid Over".

The Journal for the seventh day was approved as corrected.

**REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of January 12, 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

Eickholt, Christopher/Spike  
Planned Parenthood North Central States  
Estrada, William

Parental Rights Foundation  
 Harrold, Patricia  
 Nebraska Firearms Owners Association (NFOA)  
 Jonas, Carlie  
 Center for Rural Affairs  
 Keener, Chris  
 U.S. Term Limits  
 Kollasch, Keith  
 Nebraska Firearms Owners Association (NFOA)  
 Konenkamp, Matt  
 Nextlink Internet  
 Mueller Robak  
 Werner Enterprises, Inc. and Subsidiaries  
 O'Hara Lindsay & Associates, Inc.  
 Michael J. Fox Foundation for Parkinson's Research  
 Tuccio, Nicholas  
 Nextlink Internet  
 Zahn, Helen Michelle Clayton  
 Nebraska Firearms Owners Association (NFOA)

### REPORTS

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

### REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LB14	Judiciary (rereferred)
LB43	Government, Military and Veterans Affairs (rereferred)
LB73	General Affairs (rereferred)
LB279	Banking, Commerce and Insurance
LB280	Health and Human Services
LB281	Natural Resources
LB282	Business and Labor
LB283	Business and Labor
LB284	Judiciary
LB285	Education
LB286	Health and Human Services
LB287	Government, Military and Veterans Affairs
LB288	Transportation and Telecommunications
LB289	Natural Resources
LB290	Health and Human Services
LB291	Health and Human Services
LB292	Natural Resources
LB293	Government, Military and Veterans Affairs
LB294	Revenue

LB295	Revenue
LB296	Banking, Commerce and Insurance
LB297	Government, Military and Veterans Affairs
LB298	Education
LB299	Education
LB300	Revenue
LB301	General Affairs
LB302	Government, Military and Veterans Affairs
LB303	Revenue
LB304	Government, Military and Veterans Affairs
LB305	Agriculture
LB306	Judiciary
LB307	Judiciary
LB308	Banking, Commerce and Insurance
LB309	Revenue
LB310	Health and Human Services
LB311	General Affairs
LB312	Government, Military and Veterans Affairs
LB313	Government, Military and Veterans Affairs
LB314	Judiciary
LB315	Judiciary
LB316	Judiciary
LB317	Revenue
LB318	Revenue
LB319	Appropriations
LB320	Education
LB321	Agriculture
LB322	Revenue
LB323	Appropriations
LB324	Education
LB325	Judiciary
LB326	Health and Human Services
LB327	Business and Labor
LB328	Judiciary
LB329	Urban Affairs
LB330	Judiciary
LB331	Judiciary
LB332	Education
LB333	Health and Human Services
LB334	Judiciary
LB335	Business and Labor
LB336	Agriculture
LB337	Health and Human Services
LR17CA	Judiciary
LR18CA	Health and Human Services
LR19CA	Health and Human Services
LR20CA	Judiciary

(Signed) Tom Briese, Chairperson  
Executive Board

**MESSAGES FROM THE GOVERNOR**

January 11, 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 the Director of the Nebraska Department of Transportation:

Vicki Kramer, 26495 Ranch Road, Ashland, NE 68003

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

(Signed) Sincerely,  
Jim Pillen  
Governor

Enclosures

January 11, 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 the Director of the Nebraska Department of Environment & Energy:

James Reed Macy, 1200 N Street - Suite 400, Lincoln, NE 68508

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

(Signed) Sincerely,  
Jim Pillen  
Governor

Enclosures

**ANNOUNCEMENTS**

The General Affairs Committee elected Senator Hughes as Vice Chairperson.

The Business and Labor Committee elected Senator Ibach as Vice Chairperson.

The Judiciary Committee elected Senator DeBoer as Vice Chairperson.

The Education Committee elected Senator Albrecht as Vice Chairperson.

**NOTICE OF COMMITTEE HEARING**

General Affairs  
Room 1510 1:30 PM

Monday, January 23, 2023

Brian Botsford - Nebraska Arts Council  
Brenda M. Davis - Nebraska Arts Council  
Crystal Dunning - Nebraska Arts Council  
Karen A. Harris - Nebraska Arts Council  
Sharon R. Hofschire - Nebraska Arts Council  
Mark Laughlin - Nebraska Arts Council  
Ann Michelle Dudley - Nebraska Arts Council  
Jeffrey Galyen - State Racing and Gaming Commission  
Dennis Lee - State Racing and Gaming Commission  
Trent Loos - State Racing and Gaming Commission  
Susan E. Lutz - Nebraska Commission on Problem Gambling  
Matthew John Monheiser - Nebraska Commission on Problem Gambling  
John Pulverenti - Nebraska Commission on Problem Gambling  
John F. Hiller - State Electrical Board

(Signed) John Lowe, Chairperson

**SPEAKER'S ANNOUNCEMENT**

Pursuant to Rule 4, Section 8, LR21 was referred to the Reference Committee.

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 421.** Introduced by Kauth, 31.

A BILL FOR AN ACT relating to local health directors; to amend sections 71-1630 and 71-1632, Reissue Revised Statutes of Nebraska; to provide procedures for directed health measures; and to repeal the original sections.

**LEGISLATIVE BILL 422.** Introduced by Kauth, 31.

A BILL FOR AN ACT relating to the Medicine and Surgery Practice Act; to amend section 38-2037, Reissue Revised Statutes of Nebraska; to exempt certain activities from disciplinary action; and to repeal the original section.

**LEGISLATIVE BILL 423.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to insurance; to amend sections 44-6410 and 44-6411, Reissue Revised Statutes of Nebraska; to provide for umbrella and excess insurance coverage to be stacked with uninsured and underinsured motorist coverage; and to repeal the original sections.

**LEGISLATIVE BILL 424.** Introduced by DeBoer, 10; Wayne, 13.

A BILL FOR AN ACT relating to state government; to amend sections 19-5503, 19-5504, 20-139, 58-226, 58-241, 58-703, 58-705, 58-708, 58-709, 58-711, 68-1603, 71-15,141, and 81-1281, Reissue Revised Statutes of Nebraska, and sections 81-101, 81-102, 81-1201.07, 81-1211, 81-1226, 81-1227, 81-1228, 81-1229, 81-1230, 81-1231, 81-1232, 81-1233, 81-1234, 81-1235, 81-1236, 81-1237, 81-1238, 81-1239, 81-1240, 81-1241, 81-1242, and 81-1243, Revised Statutes Cumulative Supplement, 2022; to state legislative findings; to create the Department of Housing and Urban Development; to provide duties; to provide for a director and staff; to create the Housing Advisory Commission; to provide for an annual report; to transfer duties, functions, responsibilities, and jurisdiction as prescribed; to provide for an updated housing affordability strategy; to change membership and duties of the Nebraska Investment Finance Authority; to change provisions relating to the source and use of the Affordable Housing Trust Fund; to eliminate a housing advisory committee; to remove obsolete provisions; to harmonize provisions; to provide a duty for the Revisor of Statutes; to provide an operative date; to repeal the original sections; and to outright repeal section 58-704, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 425.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to game and parks; to amend sections 37-104, 37-451, 37-453, 37-457, 37-492, and 37-708, Reissue Revised Statutes of Nebraska, and sections 37-407, 37-447, 37-448, and 37-449, Revised Statutes Cumulative Supplement, 2022; to change a quorum requirement for a Game and Parks Commission meeting; to change provisions relating to fees charged and permits issued by the Game and Parks Commission as prescribed; to change provisions related to prohibited acts in game refuges; and to repeal the original sections.

**LEGISLATIVE BILL 426.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation

Act; to amend sections 48-152 and 48-153, Reissue Revised Statutes of Nebraska; to change the number of judges on the Nebraska Workers' Compensation Court; to eliminate obsolete provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 427.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to the Contractor Registration Act; to amend sections 48-2103 and 48-2107, Reissue Revised Statutes of Nebraska; to eliminate a definition and certain fees; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 428.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Nebraska Emergency Management Agency; to provide for a dollar-for-dollar match for money for grants under the federal Hazard Mitigation Grant Program.

**LEGISLATIVE BILL 429.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1001, Revised Statutes Cumulative Supplement, 2022; to create a fund; to use certain unused tax credits for school funding as prescribed; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 430.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend section 38-101, Revised Statutes Cumulative Supplement, 2022; to prohibit a multiple procedure payment reduction policy from being applied to physical therapy, occupational therapy, or speech-language pathology services as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 431.** Introduced by Halloran, 33.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend section 38-131, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to criminal history record information checks; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 432.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to criminal justice; to amend sections 28-116, 28-507, 28-518, 29-2204.02, 29-2221, 29-2263, 29-3603, 81-1850, 83-175, and 83-1,110, Reissue Revised Statutes of Nebraska, and sections 28-101, 28-105, 28-416, 28-1351, 28-1354, 29-2204, 81-1848, 83-184, 83-1,107, 83-1,110.02, 83-1,111, 83-1,114, 83-1,122.01, 83-1,135, and 83-1,135.02, Revised Statutes Cumulative Supplement, 2022; to adopt the

Second Look Act; to change provisions regarding mandatory minimums, penalties and provisions relating to controlled substances, theft, and burglary, sentencing, set asides, and pretrial diversion; to provide for release for medical treatment; to provide for good time for offenders serving mandatory minimum terms; to provide for parole for offenders who have served twenty-five years of their sentences; to change provisions relating to parole and medical parole; to provide for geriatric parole; to provide duties for courts, the Board of Parole, the State Court Administrator, and the Department of Correctional Services; to provide for applicability; to define terms; to harmonize provisions; to provide severability; and to repeal the original sections.

**LEGISLATIVE BILL 433.** Introduced by Jacobson, 42; Ibach, 44.

A BILL FOR AN ACT relating to behavioral health services; to amend section 71-801, Revised Statutes Cumulative Supplement, 2022; to provide duties regarding behavioral health funding as prescribed; to provide for an appeal under the Administrative Procedure Act; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 434.** Introduced by Jacobson, 42; Ballard, 21; Fredrickson, 20.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Cumulative Supplement, 2022; to provide for long-term acute care hospitals to be enrolled as providers; to require submission of a state plan amendment or waiver as prescribed; to harmonize provisions; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 435.** Introduced by Geist, 25.

A BILL FOR AN ACT relating to juvenile justice; to amend sections 29-2269 and 43-272.02, Reissue Revised Statutes of Nebraska; to provide duties for the Office of Probation Administration; to provide for court appointment of parental advisers in juvenile proceedings; to provide duties for parental advisers, to require cooperation, and to provide for confidentiality; to provide for relation of such provisions to the attorney-client privilege; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 436.** Introduced by Geist, 25.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend sections 28-405 and 28-416, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the schedules of controlled substances; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 437.** Introduced by Ballard, 21.



A BILL FOR AN ACT relating to insurance; to amend section 44-4054, Reissue Revised Statutes of Nebraska; to change the renewal period for business entity licenses issued under the Insurance Producers Licensing Act from annual to biennial; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 438.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to civil procedure; to amend sections 25-323 and 25-331, Reissue Revised Statutes of Nebraska; to provide for awards of attorney's fees in appeals; to change provisions and modernize language relating to third-party practice; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 439.** Introduced by Raybould, 28.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Correctional Services for a pilot project for the provision of domestic violence programming for individuals committed to the Department of Correctional Services; and to declare an emergency.

**LEGISLATIVE BILL 440.** Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to school funding; to amend sections 77-3442, 79-1098, 79-10,100, 79-10,101, 79-10,120, and 79-10,126, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to certain school taxes and special funds; to provide a termination date; to harmonize provisions; to repeal the original sections; and to declare an emergency.

#### ANNOUNCEMENT

The Appropriations Committee elected Senator Wishart as Vice Chairperson.

#### BILLS ON FIRST READING

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

**LEGISLATIVE BILL 441.** Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-815, Reissue Revised Statutes of Nebraska; to change provisions relating to defenses for offenses involving obscene materials; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 442.** Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to the Livestock Growth Act; to amend section 54-2804, Reissue Revised Statutes of Nebraska; to state intent regarding a transfer of funds; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 443.** Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-121, Reissue Revised Statutes of Nebraska; to change provisions relating to compensation for total disability; and to repeal the original section.

**LEGISLATIVE BILL 444.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to postsecondary education; to amend section 84-612, Revised Statutes Cumulative Supplement, 2022; to state intent; to create a fund; to provide for a grant for certain activities in relation to a postsecondary educational institution as prescribed; to provide powers and duties for the Department of Economic Development; to provide for a transfer from the Cash Reserve Fund; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 445.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Economic Development; and to declare an emergency.

**LEGISLATIVE BILL 446.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to motor vehicles; to adopt the Peer-to-Peer Vehicle Sharing Program Act; and to provide an operative date.

**LEGISLATIVE BILL 447.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to first responders; to amend sections 77-2716, 85-2601, 85-2602, 85-2603, and 85-2604, Revised Statutes Cumulative Supplement, 2022; to provide an income tax deduction to retired firefighters for health insurance premiums; to rename the Law Enforcement Education Act; to change provisions of the act to include tuition waivers for professional firefighters and dependents of law enforcement officers and professional firefighters as prescribed; to provide powers and duties to the Department of Revenue; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 448.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to insurance; to prohibit certain provisions in a health plan in relation to clinician-administered drugs; and to define a term.

**LEGISLATIVE BILL 449.** Introduced by Brandt, 32.

A BILL FOR AN ACT relating to the Transportation Innovation Act; to amend sections 39-2805 and 39-2807, Reissue Revised Statutes of Nebraska, and section 39-2801, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the funds used to administer the County Bridge Match Program and the termination date; to state legislative intent regarding appropriations; to eliminate obsolete provisions; to create the County Bridge Match Fund; to provide for grants, applications for grants, and an evaluation process for grants, through the County Bridge Match Program; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 450.** Introduced by Brewer, 43; Erdman, 47.

A BILL FOR AN ACT relating to the Integrated Solid Waste Management Act; to amend section 13-2039, Reissue Revised Statutes of Nebraska; to prohibit land disposal of wind turbine blades and their component parts; and to repeal the original section.

**LEGISLATIVE BILL 451.** Introduced by Brewer, 43; McDonnell, 5.

A BILL FOR AN ACT relating to health care facilities; to provide for a grant to certain health care facilities; and to declare an emergency.

**LEGISLATIVE BILL 452.** Introduced by Murman, 38; Brewer, 43; Vargas, 7.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-123.16, 53-169, and 53-171, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to microdistilleries; to authorize self-distribution of microdistilled products as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 453.** Introduced by DeKay, 40; Geist, 25; Hughes, 24.

A BILL FOR AN ACT relating to transportation; to amend sections 3-107, 39-1348, and 66-4,100, Reissue Revised Statutes of Nebraska, and section 39-847, Revised Statutes Cumulative Supplement, 2022; to provide for the use of the Highway Cash Fund for administrative costs of the Division of Aeronautics of the Department of Transportation; to change the required county contribution for bridge replacement; to provide for adjustments to threshold amounts for road construction contracts; to harmonize provisions; and to repeal the original sections

**LEGISLATIVE BILL 454.** Introduced by DeKay, 40; Brandt, 32; Dover, 19; Geist, 25; Hughes, 24; Moser, 22.

A BILL FOR AN ACT relating to roads; to require the Department of Transportation to plan, design, and purchase rights-of-way for U.S. Highway 81; and to declare legislative intent to appropriate funds.

**LEGISLATIVE BILL 455.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to education; to require the State Department of Education to establish a grant program to provide and distribute a monthly, nondigital publication to schools and homes.

**NOTICE OF COMMITTEE HEARINGS**

Banking, Commerce and Insurance  
Room 1507 1:30 PM

Monday, January 23, 2023

Kelly J. Lammers - Department of Banking and Finance  
Anthony L. Goins - Department of Economic Development  
LB279  
LB207  
LB94  
LB214

Tuesday, January 24, 2023

Eric Dunning - Department of Insurance  
LB132  
LB151  
LB296  
LB92

(Signed) Julie Slama, Chairperson

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 456.** Introduced by Brewer, 43; Erdman, 47.

A BILL FOR AN ACT relating to game animals; to amend sections 25-21,201, 37-301, 37-401, 37-402, 37-411, 37-559, and 84-205, Reissue Revised Statutes of Nebraska, and sections 37-504, 37-613, and 81-8,219, Revised Statutes Cumulative Supplement, 2022; to provide for claims for monetary compensation for damage caused by elk or mountain lions; to authorize the control of elk or mountain lion populations by counties as prescribed; to change provisions relating to the jurisdiction of district courts, applicability of the Game Law and the State Tort Claims Act as prescribed, and the duties of the Attorney General; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 457.** Introduced by Holdcroft, 36; Erdman, 47; Halloran, 33; Hardin, 48; Lippincott, 34; Lowe, 37.

A BILL FOR AN ACT relating to the Election Act; to amend sections 32-806, 32-906, and 32-1018, Reissue Revised Statutes of Nebraska, and sections 32-904, 32-918, and 32-1041, Revised Statutes Cumulative Supplement, 2022; to provide requirements for paper ballots, vote scanning devices, and vote tabulating equipment; to require video surveillance of voting; and to repeal the original sections.

**LEGISLATIVE BILL 458.** Introduced by Ballard, 21.

A BILL FOR AN ACT relating to Prescription Drug Safety Act; to amend sections 71-2461.01 and 71-2479, Revised Statutes Cumulative Supplement, 2022; to allow certain central fill pharmacies to deliver to a patient; to change a labeling requirement; and to repeal the original sections.

**LEGISLATIVE BILL 459.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the Firefighter Cancer Benefits Act; to amend section 35-1002, Revised Statutes Cumulative Supplement, 2022; to provide for reimbursement from the state as prescribed; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 460.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend sections 48-101.01 and 71-7104, Revised Statutes Cumulative Supplement, 2022; to provide for reimbursement for mental health examinations and resilience training; and to repeal the original sections.

**LEGISLATIVE BILL 461.** Introduced by Arch, 14.

A BILL FOR AN ACT relating to the Department of Administrative Services; to amend sections 16-321.01, 17-568.02, 57-1503, 60-3,100, 70-1033, 71-5666, 71-5667, 71-5669.01, 73-101, 73-101.01, 73-301, 73-501, 73-502, 73-503, 73-504, 73-505, 73-506, 73-507, 73-508, 73-509, 73-510, 81-145, 81-154.01, 81-156, 81-161, 81-161.01, 81-161.02, 81-162, 81-1101, 81-1102, 81-1108.10, 81-1108.16, 81-1109, 81-1118.01, 81-1118.02, 81-1118.05, 81-1118.07, and 83-145, Reissue Revised Statutes of Nebraska, and sections 66-1009, 71-5668, 79-8,137, 79-8,137.04, 81-153, 81-161.03, 81-1118, 81-1119, 81-1120, and 81-3721, Revised Statutes Cumulative Supplement, 2022; to name an act; to change, transfer, and eliminate provisions relating to the materiel division of the Department of Administrative Services and procurement of services and personal property; to provide, change, and eliminate definitions; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal sections 81-146, 81-159, 81-1118.03, 81-1118.04, and

81-1118.06, Reissue Revised Statutes of Nebraska, and sections 73-701 and 81-154, Revised Statutes Cumulative Supplement, 2022.

**LEGISLATIVE BILL 462.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the Middle Income Workforce Housing Investment Act; to amend section 81-1237, Revised Statutes Cumulative Supplement, 2022; to redefine a term; and to repeal the original section.

**LEGISLATIVE BILL 463.** Introduced by Health and Human Services Committee: Hansen, B., 16, Chairperson; Ballard, 21; Cavanaugh, M., 6; Day, 49; Hardin, 48; Riepe, 12.

A BILL FOR AN ACT relating to the Health Care Facility Licensure Act; to amend section 71-433, Reissue Revised Statutes of Nebraska; to change provisions relating to an application for licensure to operate a health care facility or a health care service; and to repeal the original section.

**LEGISLATIVE BILL 464.** Introduced by Vargas, 7.

A BILL FOR AN ACT relating to first responders; to amend sections 48-101.01 and 71-7104, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to first responders' claims for mental injuries and mental illness under the Nebraska Workers' Compensation Act; to transfer provisions relating to resilience training; to harmonize provisions; and to repeal the original sections.

### RESOLUTIONS

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

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

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

To amend Article III, section 12:

III-12 (1) No person shall be eligible to serve as a member of the Legislature for four years next after the expiration of ~~threetwo~~ consecutive terms regardless of the district represented.

(2) Service prior to January 1, 2001, as a member of the Legislature shall not be counted for the purpose of calculating consecutive terms in subsection (1) of this section.

(3) For the purpose of this section, service in office for more than one-half of a term shall be deemed service for a term.

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

A constitutional amendment to change the limit on legislative terms from two consecutive terms to three consecutive terms.

For

Against.

**LEGISLATIVE RESOLUTION 23CA.** Introduced by Riepe, 12.

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

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

To add a new section 1C to Article VIII:

VIII-1C The state and any political subdivision thereof shall be prohibited from levying an inheritance tax.

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

A constitutional amendment to prohibit the levying of an inheritance tax by the state or any political subdivision thereof.

For

Against.

**LEGISLATIVE RESOLUTION 24CA.** Introduced by Albrecht, 17.

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

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

To amend Article VII, section 2, Article VII, section 4, and Article XIII, section 1, and repeal Article VII, section 3:

~~VII-2 The State Department of Education shall be comprised of a State Board of Education and a Commissioner of Education. The State Department of Education shall have general supervision and administration of the school system of the state and of such other activities as the Legislature may direct.~~

~~VII-4 The Governor State Board of Education shall appoint and fix the compensation of the Commissioner of Education, who shall be the executive officer of the State Board of Education and the administrative head of the State Department of Education, and who shall have such powers~~

and duties as the Legislature may direct. ~~The board shall appoint all employees of the State Department of Education on the recommendation of the Commissioner of Education.~~

XIII-1 The state may, to meet casual deficits, or failures in the revenue, contract debts never to exceed in the aggregate one hundred thousand dollars, and no greater indebtedness shall be incurred except for the purpose of repelling invasion, suppressing insurrection, or defending the state in war, and provision shall be made for the payment of the interest annually, as it shall accrue, by a tax levied for the purpose, or from other sources of revenue, which law providing for the payment of such interest by such tax shall be irrevocable until such debt is paid; Provided, that if the Legislature determines by a three-fifths vote of the members elected thereto that (1) the need for construction of highways in this state requires such action, it may authorize the issuance of bonds for such construction, and for the payment of the interest and the retirement of such bonds it may pledge any tolls to be received from such highways or it may irrevocably pledge for the term of the bonds all or a part of any state revenue closely related to the use of such highways, such as motor vehicle fuel taxes or motor vehicle license fees and (2) the construction of water retention and impoundment structures for the purposes of water conservation and management will promote the general welfare of the state, it may authorize the issuance of revenue bonds for such construction, and for the payment of the interest and the retirement of such bonds it may pledge all or any part of any state revenue derived from the use of such structures; and provided further, that the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, and, at the direction of the Governor, the Commissioner of Education ~~the State Board of Education~~ may issue revenue bonds to construct, purchase, or otherwise acquire, extend, add to, remodel, repair, furnish, and equip dormitories, residence halls, single or multiple dwelling units, or other facilities for the housing and boarding of students, single or married, and faculty or other employees, buildings and structures for athletic purposes, student unions or centers, and for the medical care and physical development and activities of students, and buildings or other facilities for parking, which bonds shall be payable solely out of revenue, fees, and other payments derived from the use of the buildings and facilities constructed or acquired, including buildings and facilities heretofore or hereafter constructed or acquired, and paid for out of the proceeds of other issues of revenue bonds, and the revenue, fees, and payments so pledged need not be appropriated by the Legislature, and any such revenue bonds heretofore issued by either of such boards are hereby authorized, ratified, and validated. Bonds for new construction shall be first approved as the Legislature shall provide.

Article VII, section 3, of the Constitution of Nebraska is repealed.

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

A constitutional amendment to eliminate the State Board of Education and transfer the power to appoint the Commissioner of Education to the



Governor and the power to issue revenue bonds to the Commissioner of Education at the direction of the Governor.

For  
Against.

**LEGISLATIVE RESOLUTION 25.** Introduced by Albrecht, 17.

WHEREAS, Leo "Pat" Engel was born on May 18, 1932, in South Sioux City, Nebraska, to Catherine and John Engel; and

WHEREAS, Pat was raised in South Sioux City, attended and graduated from South Sioux City public schools and the University of Nebraska-Lincoln; and

WHEREAS, Pat served in the United States Air Force as an intelligence officer; and

WHEREAS, Pat married the love of his life, Donna Dee Smith, on September 6, 1952, and the couple raised five children Kathie, Kim, Jeff, Julie, and Mike; and

WHEREAS, Pat was a distinguished member of this Legislature, serving from 1993 through 2009; and

WHEREAS, Pat served this Legislature as a member of the Executive Board, the Appropriations, Legislative Performance Audit, and Reference Committees, and served as Chairperson of the Executive Board and the Reference Committee; and

WHEREAS, Pat served his community as an insurance agent, a member of both the St. Michael's and South Sioux City school boards, and as Dakota County Commissioner; and

WHEREAS, Pat was active in Sertoma, the Cardinal Foundation, Siouxland National Bank, the Knights of Columbus, St. Michael's Catholic Church, the Catholic Church of Mesa, Arizona, the American Legion, Trinity Heights, and other organizations too numerous to mention; and

WHEREAS, Pat passed away on December 6, 2022, at his home surrounded by his children; and

WHEREAS, Pat lived a remarkable life, was a lifelong learner, and impacted so many people. He was a man of great faith and knew who he was and what he stood for.

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

1. That the Legislature honors Pat Engel for a life of leadership and service to his community, state, and country.
2. That the Legislature offers its condolences to the family of Pat Engel.
3. That a copy of this resolution be sent to the family of Pat Engel.

Laid over.

**LEGISLATIVE RESOLUTION 26CA.** Introduced by Day, 49; Cavanaugh, J., 9; Cavanaugh, M., 6; Fredrickson, 20; Hunt, 8.

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

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

To repeal Article I, section 29:

Article I, section 29, of the Constitution of Nebraska is repealed.

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

A constitutional amendment to remove provisions regarding marriage from the Constitution of Nebraska.

For

Against.

### NOTICE OF COMMITTEE HEARINGS

Transportation and Telecommunications

Room 1113

Monday, January 23, 2023 1:30 PM

LB66

LB140

LB266

LB124

Tuesday, January 24, 2023 1:30 PM

LB247

LB288

LB91

Monday, January 30, 2023 9:30 AM

Rhonda Lahm - Department of Motor Vehicles

LB37

Monday, January 30, 2023 1:30 PM

LB136

LB138

Tuesday, January 31, 2023 9:30 AM

LB122

(Signed) Suzanne Geist, Chairperson

Education

Room 1525 1:30 PM

Monday, January 23, 2023

LB225

LB188

LB141

(Signed) Dave Murman, Chairperson

**ANNOUNCEMENT**

Senator Brewer announced the Government, Military and Veterans Affairs Committee will hold an executive session Tuesday, January 17, 2023, immediately following adjournment, in Room 1507.

**UNANIMOUS CONSENT - Add Cointroducers**

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

Senator Day name added to LB10.  
Senator Hughes name added to LB314.  
Senator Kauth name added to LB315.  
Senator Wayne name added to LB323.  
Senator M. Cavanaugh name added to LB328.  
Senator Hardin name added to LB336.  
Senator DeKay name added to LB374.  
Senator J. Cavanaugh name added to LB419.  
Senator DeKay name added to LB419.  
Senator Bostar name added to LB419.  
Senator Vargas name added to LB419.

**VISITOR**

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

**ADJOURNMENT**

At 11:31 a.m., on a motion by Senator Jacobson, the Legislature adjourned until 10:00 a.m., Tuesday, January 17, 2023.

Brandon Metzler  
Clerk of the Legislature

