

**EIGHTIETH DAY - MAY 18, 2023****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
FIRST SESSION****EIGHTIETH DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, May 18, 2023

**PRAYER**

The prayer was offered by Doctor Nathan Wakefield, Southview Baptist Church, Lincoln.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Kauth.

**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 Albrecht, Bostar, Conrad, Day, DeBoer, Dover, Dungan, B. Hansen, Walz, and Wayne who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

Page 1510, line 31, strike "Albrecht" and insert "M. Cavanaugh".  
The Journal for the seventy-eighth day was approved as corrected.  
The Journal for the seventy-ninth day was approved.

**PRESENTED TO THE GOVERNOR**

Presented to the Governor on May 18, 2023, at 8:24 a.m. were the following: LBs 815e and 816e.

(Signed) Jamie Leishman  
Clerk of the Legislature's Office

**RESOLUTION**

**LEGISLATIVE RESOLUTION 208.** Introduced by Dorn, 30.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the current funding mechanisms and operations of Nebraska's Mesonet system and to determine necessary changes in such funding and operations to ensure the future viability of the system.

Mesonet is a statewide weather monitoring and data collection system consisting of sixty-eight individual weather stations in forty-nine Nebraska counties. Each weather station collects real-time data on approximately thirty separate weather-related data points. Nebraska's agricultural producers rely upon this publicly available data for a variety of important production decisions.

Nebraska's Mesonet system lacks a clear and consistent source of state funding. The Department of Natural Resources, the University of Nebraska Institute of Agriculture and Natural Resources, the state's natural resources districts, and other various entities have at times contributed funding to the system's operation.

The interim study shall include, but need not be limited to, a review of:

- (1) The historical and current level of Mesonet funding and the sources from which that funding is derived;
- (2) The current scale of the Mesonet system in Nebraska and whether such scale is consistent with the needs of Nebraska's agricultural producers and other current and potential users of Mesonet data;
- (3) The current operational structure for the Mesonet system and whether changes in such structure would benefit Nebraska's agricultural producers and other current and potential users of Mesonet data; and
- (4) Any other issues relevant to Nebraska's Mesonet system.

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

1. That the Appropriations Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**MOTION - Recommit LB814 to Committee**

Senator Clements offered his motion, [MO1082](#), found on page 1557, recommit to the Appropriations Committee.

Senator Clements withdrew his motion to recommit to committee.

**MOTION - Return LB814 to Select File**

Senator M. Cavanaugh moved to return LB814 to Select File for her specific amendment, [AM1740](#), found on page 1454.

Pending.

**COMMITTEE REPORT**  
Enrollment and Review

**LEGISLATIVE BILL 243.** Placed on Final Reading.

ST17

The following changes, required to be reported for publication in the Journal, have been made:

1. In the Briese amendment, AM1743, on page 12 the sentence beginning with "Sections" in line 3 through the period in line 4 has been moved to page 11, line 31, after the second period.
2. In the E & R amendments, ER21, on page 41, line 13, "77-5015," has been struck; and in line 16 "77-6703," has been inserted after "77-6702,".

(Signed) Beau Ballard, Chairperson

Senator Slama requested a point of order that pursuant to Rule 3, Section 16, a member of the executive branch was present for a vote in an executive session of the Government, Military and Veteran Affairs Committee and that LB535 should not be reported to General File.

The Chair suggested the committee should submit a new committee report.

Senator Slama withdrew her point of order.

Senator M. Cavanaugh made a parliamentary inquiry on whether the time taken during Senator Slama's point of order would count for computing cloture.

The Clerk clarified that the prior action of the reading of items for the record is administrative and does not interrupt debate of the main motion.

**RESOLUTIONS**

**LEGISLATIVE RESOLUTION 209.** Introduced by McKinney, 11.

**PURPOSE:** The purpose of this resolution is to propose an interim study to review the death penalty in Nebraska. In 2015, Nebraska voters reinstated the death penalty in this state. Since reinstatement, Nebraska has only carried out one execution. The study should examine the utility of the death penalty as well as the following subjects:

- (1) The methods of execution available to Nebraska, and what other states with the death penalty have for execution methodology;
- (2) The availability of execution drugs necessary to effectuate the lethal injection method that Nebraska currently uses;
- (3) The societal or racial disparity in application of the death penalty;
- (4) Prosecutorial practices relating to pursuing death penalty imposition;
- (5) Public opinion relating to the death penalty in Nebraska and in other jurisdictions;
- (6) The utility or value of the death penalty in Nebraska;
- (7) The deterrent effect on criminal behavior, if any, of the death penalty;
- (8) Alternatives to the death penalty;

(9) Experiences of other states or jurisdictions relating to the death penalty; and

(10) Any other subject relating to the death penalty in Nebraska.

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

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 210.** Introduced by McKinney, 11.

**PURPOSE:** The purpose of this resolution is to propose an interim study to study the emigration of skilled and educated individuals out of the state of Nebraska and why the emigration is an issue that the state is experiencing, what needs to be done to address it, and what are other states doing to combat similar emigration issues.

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

1. That the Business and Labor Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 211.** Introduced by Ballard, 21.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the statewide availability of assisted-living memory care for individuals with Alzheimer's disease or other dementia and the accessibility of this type of care for medicaid beneficiaries.

In the early stages of Alzheimer's disease, an individual may have memory or cognitive difficulties that put the individual's safety at risk, although the individual may be physically healthy. At this point in the disease process, an individual does not need twenty-four-hour nursing care; however, especially if there is no live-in caregiver, an individual needs a safe and secure environment with activities, social interaction, and guidance to keep active and engaged in daily living.

The increased incidence of Alzheimer's disease and other dementias combined with the inability or unavailability of family caregivers to provide

twenty-four-hour supervision has created a growing demand for assisted-living memory care.

According to the Department of Health and Human Services, there are an estimated thirty-three thousand Nebraskans currently living with Alzheimer's disease and other dementia, and by 2025, the number of Nebraskans will likely increase to forty thousand Nebraskans.

This interim study shall include, but need not be limited to:

(1) Identifying the availability of assisted-living memory care in Nebraska and the accessibility of this type of care to Nebraskans who qualify for the aged and disabled medicaid waiver; and

(2) Examining the cost of providing assisted-living memory care and the gap between the cost of care and the medicaid waiver rate.

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

1. That the Health and Human Service Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 212.** Introduced by Halloran, 33.

PURPOSE: The purpose of this resolution is to propose an interim study to examine any issues within the jurisdiction of the Agriculture Committee of the Legislature that may arise during the interim.

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

1. That the Agriculture Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

#### **MOTIONS - Print in Journal**

Senator Slama filed the following motion to LB514:

[MO1086](#)

Indefinitely postpone.

Senator Slama filed the following motion to LB514:

[MO1087](#)

Recommit to the Government, Military, and Veterans Affairs Committee.

Senator Slama filed the following motion to LB514:  
[MO1088](#)  
Bracket until June 10, 2023.

Senator Slama filed the following motion to LB514:  
[MO1089](#)  
Indefinitely postpone.

Senator Slama filed the following motion to LB514:  
[MO1090](#)  
Bracket until June 10, 2023.

Senator Slama filed the following motion to LB514:  
[MO1091](#)  
Recommit to the Government, Military, and Veterans Affairs Committee.

Senator Slama filed the following motion to LB514:  
[MO1092](#)  
Recommit to Government, Military, and Veterans Affairs Committee.

#### **AMENDMENTS - Print in Journal**

Senator Slama filed the following amendment to LB514:  
[FA130](#)  
Strike the enacting clause.

Senator Slama filed the following amendment to LB514:  
[FA131](#)  
Strike the enacting clause.

Senator Slama filed the following amendment to LB514:  
[FA132](#)  
Strike the Enacting Clause.

Senator Brewer filed the following amendment to LB514:  
[AM1801](#) is available in the Bill Room.

Senator Slama filed the following amendment to LB535:  
[AM1804](#)  
1 1. Strike section 3.

Senator Slama filed the following amendment to LB535:  
[AM1803](#)  
1 1. Strike section 2.

Senator Slama filed the following amendment to LB535:  
[AM1805](#)  
1 1. Strike section 4.

**MOTION - Return LB814 to Select File**

Senator M. Cavanaugh renewed her motion, found on page 1454 and considered in this day's Journal, to return LB814 to Select File for her specific amendment, [AM1740](#).

**SENATOR DORN PRESIDING****PRESIDENT KELLY PRESIDING**

Speaker Arch offered the following motion:

[MO1093](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Speaker Arch requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 41:

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

Voting in the negative, 2:

Cavanaugh, M. Hunt

Present and not voting, 5:

Cavanaugh, J. Dungan McKinney Raybould Wayne

Excused and not voting, 1:

Conrad

The Arch motion to invoke cloture prevailed with 41 ayes, 2 nays, 5 present and not voting, and 1 excused and not voting.

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

Voting in the affirmative, 2:

Cavanaugh, M. Hunt

Voting in the negative, 43:

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

Present and not voting, 3:

Day	McKinney	Wayne
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Excused and not voting, 1:

Conrad

The M. Cavanaugh motion to return failed with 2 ayes, 43 nays, 3 present and not voting, and 1 excused and not voting.

### **BILL ON FINAL READING**

#### **Dispense With Reading at Large**

Senator M. Cavanaugh requested a roll call vote.

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB814 with 45 ayes, 1 nay, 2 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 814.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to state intent; to define terms; to make appropriations for the expenses of Nebraska State Government for the biennium ending June 30, 2025; to appropriate funds allocated to the State of Nebraska from the federal Coronavirus State Fiscal Recovery Fund pursuant to the federal American Rescue Plan Act of 2021, 42 U.S.C. 802, as amended; to transfer funds; to provide duties; to provide an operative date; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "



Senator M. Cavanaugh requested a roll call vote.

Voting in the affirmative, 42:

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

Voting in the negative, 3:

Cavanaugh, M.    Hunt                    McKinney

Present and not voting, 4:

Cavanaugh, J.    Day                    Dungan            Wayne

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

## RESOLUTIONS

**LEGISLATIVE RESOLUTION 213.** Introduced by Ibach, 44; Dover, 19.

**PURPOSE:** The purpose of this resolution is to propose an interim study to review how the State of Nebraska can assist licensed hospitals in converting to the rural emergency hospital designation under the federal Consolidated Appropriations Act of 2021.

A hospital closure in a community can mean the loss of both a local emergency department and other health care services. Nebraska has witnessed two hospitals permanently close in the last eight years. Reimbursement rates for hospitals are insufficient and have not kept up with inflation and studies have shown that Nebraska has several hospitals on the cusp of closing.

The rural emergency hospital designation allows rural hospitals to maintain outpatient and emergency department payment from medicare without a requirement of inpatient acute care services. For effective rural health care, the State of Nebraska needs to support assisting critical access hospitals that may be interested in converting to the rural emergency hospital designation instead of closing due to financial constraints.

The interim study shall include, but need not be limited to:

(1) Reviewing low inpatient volumes, low net patient revenues, and the recent history of financial distress for rural hospitals;

(2) Reviewing inpatient and outpatient reimbursement rates for rural hospitals, when such rates were last updated, and if such rates are sufficient for maintaining rural hospitals;

(3) Developing and reviewing an action plan to determine if conversion to the rural emergency hospital designation is appropriate for a rural hospital;

(4) Reviewing grants and funding sources for assisting rural hospitals with the expenses of converting to the rural emergency hospital designation; and

(5) Determining ways for the State of Nebraska to assist in a comprehensive community engagement process to help facilitate hospital conversion to the rural emergency hospital designation.

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

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 214.** Introduced by Ibach, 44.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the possibility of the creation of an intrastate airline to assist with statewide travel. The study shall include, but need not be limited to:

(1) A review of the history of intrastate airline services;

(2) An examination of intrastate airline services in other states;

(3) An evaluation of funding sources to help provide for intrastate airline services such as the federal Essential Air Service program;

(4) An examination of potential locations where intrastate airline hubs could be located; and

(5) An examination of federal and state laws governing a potential intrastate airline in Nebraska.

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

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 215.** Introduced by Dungan, 26; Bosn, 25; Cavanaugh, J., 9.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the judicial inefficiency and increased costs to the state arising from Nebraska's four separate statutory based mechanisms for postconviction relief. The study shall include, but need not be limited to, an examination of the following:

(1) Nebraska's statutory mechanisms for postconviction relief, including a new trial in section 29-2101, postconviction relief in section 29-3001, habeas corpus in section 29-2801, and the DNA Testing Act;

(2) How Nebraska's splintered postconviction structure wastes judicial resources, adds burdens to prosecutors, and increases costs to the state when it prevents innocent petitioners from presenting the full scope of their claims at one time in front of one court;

(3) The gateway standard for innocence adopted by the federal court system and other state jurisdictions, including South Dakota, Montana, Missouri, and North Carolina under the United States Supreme Court decision in *Schlup v. Delo*, 513 U.S. 298 (1995). The gateway standard is a narrow exception provided to defendants who can prove their innocence in order to overcome a procedural default that otherwise prevents a challenge to the conviction. Such exception is not currently applicable under Nebraska's postconviction mechanisms;

(4) Claims of actual innocence, even absent an independent constitutional violation, if a person establishes by clear and convincing evidence that no reasonable fact finder would have found such person guilty of the underlying offense; and

(5) Whether Nebraska should join other states by adopting a rule that necessitates ineffective assistance of counsel claims involving issues of trial strategy be brought for the first time at the postconviction phase in order to protect defendants, prevent injustice, and preserve judicial resources.

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

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 216.** Introduced by Dungan, 26; Cavanaugh, J., 9; Fredrickson, 20.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the economic and climate impacts of the current reliance on fossil fuel energy generation in Nebraska and the economic opportunities available in Nebraska for developing renewable energy sources. The study shall include, but need not be limited to:

(1) An analysis and evaluation of the short-term and long-term costs, health impacts, climate impacts, and economic risks of fossil fuel energy generation, including the assessment of any existing statistical evidence relating to such costs and risks;

(2) A determination of whether the current use of fossil fuels in energy generation in Nebraska threatens the ability of power suppliers in the state to maintain existing affordability while increasing baseload generation sufficient to meet the energy needs of Nebraska consumers; and

(3) An analysis and evaluation of the economic benefits and opportunities for the State of Nebraska and local political subdivisions in developing renewable energy generation facilities such as wind, solar, hydroelectric, hydrogen, small modular nuclear reactor, and battery storage.

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

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 217.** Introduced by Bosn, 25; Dungan, 26; Wayne, 13.

PURPOSE: The purpose of this resolution is to propose an interim study to examine transitional housing for parolees or justice-involved individuals in Nebraska. The study should include, but need not be limited to, an examination of the following:

(1) Which state agencies utilize transitional housing for parolees or justice-involved individuals;

(2) How long individuals stay in such transitional housing;

(3) What transitional housing contracts for parolees or justice-involved individuals consist of; and

(4) What regulations affect such transitional housing.

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

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 218.** Introduced by Blood, 3.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the federal incentive funds being distributed under the federal Inflation Reduction Act of 2022 and how much of the funds will be distributed to the rural areas of Nebraska.

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

1. That the Appropriations Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 219.** Introduced by Halloran, 33.

PURPOSE: The purpose of this resolution is to propose an interim study to review the credentialing requirements under the Pesticide Act in furtherance of the purposes of the Occupational Board Reform Act.

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

1. That the Agriculture Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 220.** Introduced by Brewer, 43; Murman, 38; Raybould, 28; Wayne, 13.

PURPOSE: The purpose of this resolution is to propose an interim study to examine laws governing school security policy.

The study should include, but need not be limited to, an examination of the following:

- (1) Laws governing school security;
- (2) Laws governing the possession of both lethal and less-lethal weapons on school campuses and at school-sponsored events;
- (3) Nebraska's laws on school security as compared to policies and laws enacted in other states to facilitate school security operations;
- (4) Whether persons other than certified law enforcement officers might be utilized to provide armed school security with appropriate training; and
- (5) Any other potential policy changes regarding school security that the Legislature may consider.

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

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 221.** Introduced by Brewer, 43.

**PURPOSE:** The purpose of this resolution is to propose an interim study to review the credentialing requirements for interior designers in furtherance of the purposes of the Occupational Board Reform Act.

The study should include, but need not be limited to, an examination and consideration of whether the current means of regulating the profession:

- (1) Is the least restrictive regulation which is necessary to protect consumers from undue risk of present, significant, and substantiated harms that clearly threaten or endanger the health, safety, or welfare of the public when competition alone is not sufficient and which is consistent with the public interest;
- (2) Protects the fundamental right of an individual to pursue a lawful occupation;
- (3) Is construed and applied to increase opportunities, promote competition, and encourage innovation; and
- (4) Should be changed to conform to the policy principles set out in the Occupational Board Reform Act.

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

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 222.** Introduced by Brewer, 43.

**PURPOSE:** The purpose of this resolution is to propose an interim study to review the credentialing requirements for landscape architects found in the Professional Landscape Architects Act in furtherance of the purposes of the Occupational Board Reform Act.

The study should include, but need not be limited to, an examination and consideration of whether the current means of regulating the profession:

(1) Is the least restrictive regulation which is necessary to protect consumers from undue risk of present, significant, and substantiated harms that clearly threaten or endanger the health, safety, or welfare of the public when competition alone is not sufficient and which is consistent with the public interest;

(2) Protects the fundamental right of an individual to pursue a lawful occupation;

(3) Is construed and applied to increase opportunities, promote competition, and encourage innovation; and

(4) Should be changed to conform to the policy principles set out in the Occupational Board Reform Act.

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

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 223.** Introduced by Brewer, 43.

PURPOSE: The purpose of this resolution is to propose an interim study to review the credentialing requirements for notaries public in furtherance of the purposes of the Occupational Board Reform Act.

The study should include, but need not be limited to, an examination and consideration of whether the current means of regulating the profession:

(1) Is the least restrictive regulation which is necessary to protect consumers from undue risk of present, significant, and substantiated harms that clearly threaten or endanger the health, safety, or welfare of the public when competition alone is not sufficient and which is consistent with the public interest;

(2) Protects the fundamental right of an individual to pursue a lawful occupation;

(3) Is construed and applied to increase opportunities, promote competition, and encourage innovation; and

(4) Should be changed to conform to the policy principles set out in the Occupational Board Reform Act.

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

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 224.** Introduced by Brewer, 43.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine laws governing the ring-necked pheasant upland game bird in hopes of improving the population of the species for increased hunting and tourism in Nebraska.

The study should include, but need not be limited to, an examination of the following:

(1) Laws governing how the Game and Parks Commission regulates pheasant hunting in Nebraska, specifically those laws and programs that concern federal and state revenue sources relating to pheasants;

(2) Laws and programs that govern what can be done to improve pheasant habitat in Nebraska;

(3) Laws and programs that govern what can be done to reduce the impacts nest predators have on the pheasant population;

(4) Laws and programs that govern youth hunting, specifically the practice of early youth hunting on public land with released birds; and

(5) The thoughts and opinions of individual citizens and sportsman groups that have experience and knowledge of the aforementioned subjects.

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

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 225.** Introduced by Riepe, 12.

**PURPOSE:** The purpose of this resolution is to propose an interim study to determine ways to incentivize the growth in the number of apprenticeship programs and youth apprenticeship participants in Nebraska. The manufacturing sector of the Nebraska economy is one of the most important sectors of the Nebraska economy with wage rates that exceed the statewide average rate of pay. There are currently more than two thousand five hundred unfilled job openings in the manufacturing sector in Nebraska and that number does not include positions that employers would create if they could expand. Filling vacant positions and expansion of the manufacturing



sector, particularly in rural Nebraska, is inhibited by the lack of an adequate number of job candidates.

Additionally, the construction and engineering sectors are in need of significant increases in their specialized workforce to support the infrastructure development needs of Nebraska. A strong infrastructure is critical to the economic stability and growth of Nebraska.

Developing apprenticeships for youth, former juvenile offenders, and individuals transitioning to independence after living in foster care would offer an opportunity for Nebraska to create a talent pipeline for these three critical sectors and retain youth in their local communities. This interim study should seek to identify barriers to growth to allow the Legislature to pursue data-driven policy solutions for these key industry sectors.

The study should include, but need not be limited to, data collection and information gathering regarding:

(1) Apprenticeships in manufacturing, construction, and engineering in Nebraska and the impact of the apprenticeships on the state's economy;

(2) The potential for increasing apprenticeship participation through apprenticeships for youth, former juvenile offenders, and individuals transitioning to independence after living in foster care;

(3) The projected growth of Nebraska's manufacturing, construction, and engineering sectors; and

(4) The potential for growth of employment in the manufacturing, construction, and engineering sectors in Nebraska if an adequate workforce exists.

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

1. That the Business and Labor Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 226.** Introduced by Aguilar, 35.

PURPOSE: The purpose of this resolution is to propose an interim study regarding dental offices sharing information with patients on the chance of patients getting infections in artificial body parts due to dental cleanings.

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

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 227.** Introduced by Aguilar, 35.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine issues related to public rest areas of highways in Nebraska and the lack of updates, maintenance, and cleanliness of facilities for such rest areas.

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

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 228.** Introduced by Brandt, 32; Dorn, 30; Hughes, 24; Jacobson, 42.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the issues related to Legislative Bill 320 introduced in the One Hundred Eighth Legislature of Nebraska, First Session. The study should include, but need not be limited to:

(1) An evaluation of equalization aid to school districts and the decreased amounts of equalization aid provided to school districts over the past fifteen years and potential methods to restore and raise equalization aid to school districts;

(2) An evaluation of the real property values used to calculate the local effort rate yield within the Tax Equity and Educational Opportunities Support Act formula and the impact on school districts;

(3) An evaluation of the impact of the real property values used within the Tax Equity and Educational Opportunities Support Act formula on the property tax levy within school districts;

(4) An evaluation of the disparity in property tax equity among school districts; and

(5) A recommendation for changes to the Tax Equity and Educational Opportunities Support Act formula to create improved property tax equity across the state as was the original intent of the Tax Equity and Educational Opportunities Support Act.

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

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 229.** Introduced by Sanders, 45.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the lack of education and support services and any other obstacles for foster parents. This study should include, but need not be limited to, an examination of the following:

- (1) The education and support services available for foster parents to support foster children;
- (2) What education and support services could be provided to enable foster parents to support and potentially adopt foster children;
- (3) What education and support services could be provided to enable foster parents to support children after adoption; and
- (4) Any other obstacles to foster parents preventing their ability to support and potentially adopt foster children, including, but not limited to, lack of any other resource and legal obstacles.

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

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 230.** Introduced by Wayne, 13.

PURPOSE: The purpose of this resolution is to propose an interim study to examine any issues within the jurisdiction of the Judiciary Committee of the Legislature that may arise during the interim.

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

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 231.** Introduced by Wayne, 13.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine civil tort claims to determine the impact of nondisclosure of third-party financing agreements, jury anchoring through basis suggestions to the jury regarding an amount to award as damages for noneconomic loss, and the use of collateral compensation including billed versus paid charges in determining the proper measure of damages.

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

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 232.** Introduced by Blood, 3.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the plausibility of the State of Nebraska joining the Social Work Licensure Compact. The Social Work Licensure Compact is an interstate compact primarily developed by the Council of State Governments, partnered with the Department of Defense and the Association of Social Work Boards, to support the mobility of licensed social workers. This additional licensing pathway will facilitate multistate practice among member states and potentially reduce the barriers to license portability.

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

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 233.** Introduced by Blood, 3.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the plausibility of the State of Nebraska joining the Physician Assistant Licensure Compact. The Physician Assistant Licensure Compact is an interstate compact developed by a joint initiative of the Council of State Governments, Federation of State Medical Boards, American Academy of Physician Associates, and the National Commission on Certification of Physician Assistants to facilitate the interstate practice of physician assistants. The compact will facilitate multistate practice among member states and will potentially provide for greater access to care, enhanced practitioner portability, and stronger public health and safety protections.

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

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 234.** Introduced by Hansen, B., 16.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the effectiveness of the State of Nebraska's response to the COVID-19 pandemic and the effect the recommendations given and actions taken by the state had on the residents of Nebraska. The study should focus on learning from the outcomes produced by the state's procedures in its response and discerning what procedures need improvement. The study shall include, but need not be limited to, a review of the following:

(1) The impact of the COVID-19 pandemic on long-term care, including, but not limited to, staffing shortages, quarantines, and the effects on the elderly in nursing facilities and assisted-living facilities;

(2) The role of local public health departments in the state's response to the COVID-19 pandemic;

(3) The overall effectiveness of using masks to reduce the risk of COVID-19;

(4) The overall effectiveness and efficiency of Test Nebraska, including, but not limited to, the economic cost;

(5) COVID-19 vaccinations, including, but not limited to, the overall effectiveness of the vaccines, the safety and side effects of the vaccines, and the impact of vaccination mandates; and

(6) The response of hospitals, including, but not limited to, staffing shortages and the effects of the COVID-19 hospital response policies.

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

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 235.** Introduced by Linehan, 39.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the delinquent tax sale and tax deed process for delinquent real property taxes under sections 77-1801 to 77-1863 and evaluate potential changes to the process.

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

1. That the Revenue Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 236.** Introduced by Linehan, 39.

PURPOSE: The purpose of this resolution is to propose an interim study to examine any issues within the jurisdiction of the Revenue Committee of the Legislature that may arise during the interim.

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

1. That the Revenue Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 237.** Introduced by Kauth, 31; Holdcroft, 36; Jacobson, 42; Slama, 1; von Gillern, 4.

PURPOSE: The purpose of this resolution is to propose an interim study to determine to what extent, if any, companies operating within or contracting with the State of Nebraska are using environmental, social, and governance (ESG) metrics.

This study shall examine impacts of ESG metrics on Nebraska industries and ask the following questions:

(1) Is doing business with entities using ESG metrics, in effect, unconstitutionally delegating proxy voting authority to business entities that hold no elected mandate?

(2) Is engagement in the use of ESG metrics posing a threat to the State of Nebraska's ability to act in the financial best interest of Nebraska taxpayers?

(3) Should the State of Nebraska stop doing business with companies using ESG metrics?

(4) Does doing business with companies using ESG metrics violate the policies and principles of the State of Nebraska?

The interim study should also focus on the use of ESG metrics in several industries of interest including, but not limited to, agriculture, oil and gas, insurance, banking, firearms, munitions, and ethanol, and the use of ESG metrics by several companies of interest including, but not limited to, Citibank, N. A., JPMorgan Chase & Co., BlackRock, Inc., Meta Platforms, Inc., Amalgamated Bank, Vanguard Group, Inc., and State Street Corporation.

In order to carry out the purpose of this resolution, the committee shall hold a hearing, with invited testimony only, to ascertain the scope and impact of ESG metrics upon the people and State of Nebraska.

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

1. That the Banking, Commerce and Insurance Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 238.** Introduced by McDonnell, 5.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the location of recreational vehicle parks, entertainment venues, and other recreational development and the impact of zoning regulations related to flooding on locating such facilities. This study should include, but need not be limited to:

(1) Examining the rules, regulations, and ordinances for flood plains or floodways relating to obstructions, permanent structures, recreational vehicle parks, other recreational venues, and recreational development;

(2) Evaluating the subsequent risk of potential property loss due to lack of enforcement of rules, regulations, and ordinances in flood plains or floodways; and

(3) Evaluating eminent life, safety, and financial loss facing Nebraskans under the current rules, regulations, and ordinances in flood plains and floodways and enforcement of those rules, regulations, and ordinances.

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

1. That the Urban Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 239.** Introduced by McDonnell, 5.

**PURPOSE:** The purpose of this resolution is to propose an interim study to explore the feasibility and potential benefits of requiring wireless interconnected fire alarms in residential dwellings, similar to an ordinance passed by the city of Norfolk, to enhance fire safety and early warning systems for residents.

(1) The study should include, but need not be limited to, collaboration with the following entities:

- (a) The office of the State Fire Marshal;
- (b) Local fire departments and fire safety organizations;
- (c) Homeowners and tenants;
- (d) Landlords and property management organizations;
- (e) Building code enforcement agencies;
- (f) Manufacturers of wireless interconnected fire alarms; and
- (g) Other subject matter experts in fire safety and related issues.

(2) The study should also include, but need not be limited to, an exploration of the following:

- (a) The effectiveness of wireless interconnected fire alarms in enhancing fire safety and early warning systems for residential dwellings;
- (b) The cost and ease of installation for wireless interconnected fire alarms compared to traditional smoke alarms;
- (c) The potential impact of such a requirement on property owners, landlords, and tenants;
- (d) Best practices and guidelines for the installation and maintenance of wireless interconnected fire alarms;
- (e) The potential legal and regulatory implications of amending the Carbon Monoxide Safety Act to require wireless interconnected fire alarms; and
- (f) Recommendations for potential updates or amendments to the Carbon Monoxide Safety Act to require wireless interconnected fire alarms in residential dwellings.

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



1. That the Urban Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 240.** Introduced by Murman, 38.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the impact of consolidation of educational service units.

This study shall include, but need not be limited to, an examination of the following:

(1) What additional responsibilities could be given to educational service units if such units were consolidated;

(2) Whether administrative costs for educational service units would be lower if such units were consolidated;

(3) How consolidation would affect the tax base and levy authority of educational service units;

(4) How to promote transparency within educational service units and about the responsibilities of educational service units;

(5) How to promote joint academic opportunities for community colleges and school districts with educational service units; and

(6) How to promote opportunities for educational service units to assist with mental health in schools.

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

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 241.** Introduced by Wishart, 27.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the sufficiency of current provider rates and the cost and needed frequency of rebasing provider rates for child welfare services providers.

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

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**AMENDMENT - Print in Journal**

Senator Slama filed the following amendment to LB92: AM1767

(Amendments to Final Reading copy)

1 1. Strike sections 81 and 82 and insert the following new sections:  
 2 Sec. 81. Section 77-6801, Revised Statutes Cumulative Supplement,  
 3 2022, is amended to read:  
 4 77-6801 Sections 77-6801 to 77-6843 and sections 82 to 84 of this  
 5 act shall be known and may be cited as the ImagiNE Nebraska Act.  
 6 Sec. 82. (1) An application made by a taxpayer that is a Nebraska-  
 7 based covered entity as defined in 15 U.S.C. 4651 under the Creating  
 8 Helpful Incentives to Produce Semiconductors (CHIPS) for America Act,  
 9 Public Law 116-283, shall be approved upon receipt if:  
 10 (a) The taxpayer's application contains the items listed in  
 11 subsection (2) of section 77-6827; and  
 12 (b) The taxpayer's application meets the federal eligibility  
 13 requirements of the Creating Helpful Incentives to Produce Semiconductors  
 14 (CHIPS) for America Act, Public Law 116-283.  
 15 (2) Not more than thirty days after receipt and approval of an  
 16 application under subsection (1) of this section, the director shall  
 17 issue to such taxpayer a written agreement conforming to the requirements  
 18 of section 77-6828 and sections 83 and 84 of this act.  
 19 Sec. 83. (1) An agreement issued pursuant to section 82 of this act  
 20 shall contain total incentives, refunds, and credits earned through the  
 21 ImagiNE Nebraska Act sufficient to equal twenty-five percent of the  
 22 taxpayer's investment in qualified property for the fabrication,  
 23 assembly, testing, advanced packaging, or production of semiconductors or  
 24 technologies with extensive microelectronic content. The director shall  
 25 ensure that such agreement creates no additional obligation upon the  
 26 General Fund.  
 1 (2) With respect to an application or agreement with a taxpayer that  
 2 is a Nebraska-based covered entity as defined in 15 U.S.C. 4651 under the  
 3 Creating Helpful Incentives to Produce Semiconductors (CHIPS) for America  
 4 Act, Public Law 116-283:  
 5 (a) The provisions of section 77-6839 shall not apply, except that  
 6 the annual credits and incentives redeemed by the taxpayer may be limited  
 7 to one-fifteenth of the total credits and incentives eligible to be  
 8 earned during a fifteen-year performance period, as defined by section  
 9 77-6816; and  
 10 (b) The taxpayer may not carryover earned but unused incentives past  
 11 the performance period.  
 12 Sec. 84. A taxpayer that is also a Nebraska-based covered entity as  
 13 described in 15 U.S.C. 4651 that qualifies under the Creating Helpful  
 14 Incentives to Produce Semiconductors (CHIPS) for America Act, Public Law  
 15 116-283, may use earned incentives or credits under the ImagiNE Nebraska  
 16 Act:  
 17 (1) To obtain a refund from the state equal to the amount that the  
 18 taxpayer demonstrates to the director was paid by the taxpayer after the  
 19 date of the complete application to repay the principal or interest on  
 20 revenue bonds issued by an inland port authority pursuant to section  
 21 13-3308;  
 22 (2) To provide financial assistance to public and private sector  
 23 initiatives that are intended to improve Nebraska's ability to attract  
 24 microelectronic-based enterprises, especially those incentivized under

25 the Creating Helpful Incentives to Produce Semiconductors (CHIPS) for  
 26 America Act, Public Law 116-283, by making necessary investments in the  
 27 semiconductor industry and technologies with extensive microelectronic  
 28 content, including, but not limited to, grants for the establishment of  
 29 private sector entities for such purposes within eligible economically  
 30 disadvantaged areas in Nebraska, as set forth in section 9902(a)(2)(B) of  
 31 the Creating Helpful Incentives to Produce Semiconductors (CHIPS) for  
 1 America Act, Public Law 116-283;  
 2 (3) To provide financial assistance to a community college located  
 3 in a city of the metropolitan class working in collaboration with private  
 4 sector partners and any interested university, college, other community  
 5 college, and technical school located in this state to support education  
 6 expansion and curricula development in order to meet the needs of the  
 7 domestic semiconductor workforce in Nebraska as set forth in section  
 8 9902(a)(2)(B) of the Creating Helpful Incentives to Produce  
 9 Semiconductors (CHIPS) for America Act, Public Law 116-283; and  
 10 (4) For any other eligible use authorized pursuant to the ImagiNE  
 11 Nebraska Act.  
 12 Sec. 100. If any section in this act or any part of any section is  
 13 declared invalid or unconstitutional, the declaration shall not affect  
 14 the validity or constitutionality of the remaining portions.  
 15 2. On page 1, line 12, strike "77-6832, and 77-6841" and insert "and  
 16 77-6801".  
 17 3. On page 2, line 13, after the first semicolon insert "to provide  
 18 severability;".  
 19 4. On page 79, strike beginning with "a" in line 30 through  
 20 "required" in line 31 and insert "the obligation of payment from the  
 21 Excess Liability Fund".  
 22 5. On page 130, line 7, strike "69-2112, 77-6832, and 77-6841," and  
 23 insert "and 69-2112;".  
 24 6. Correct the operative date and repealer sections so that the  
 25 sections added by this amendment become operative on their effective date  
 26 with the emergency clause.  
 27 7. Renumber the remaining sections and correct internal references  
 28 accordingly.

### PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LB814e.

### MOTION - Recommit LB818 to Committee

Senator Clements offered his motion, [MO1083](#), found on page 1557, recommit to the Appropriations Committee.

Senator Clements withdrew his motion to recommit to committee.

### MOTION - Return LB818 to Select File

Senator M. Cavanaugh moved to return LB818 to Select File for the following specific amendment:

[FA134](#)

Strike Section 1.

Pending.

**PRESENTED TO THE GOVERNOR**

Presented to the Governor on May 18, 2023, at 11:34 a.m. was the following: LB814e.

(Signed) Jamie Leishman  
Clerk of the Legislature's Office

**RESOLUTIONS**

**LEGISLATIVE RESOLUTION 242.** Introduced by Jacobson, 42; Hughes, 24.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine methods to promote the development of a competitive electric vehicle charging market in Nebraska and the creation of electric infrastructure to support such market. The study should seek to identify barriers to growth in the industry and recommend potential legislation to encourage growth in the industry.

The study should include, but need not be limited to, an examination of the following:

(1) How to improve the quantity, quality, and variety of electric vehicle charging amenities and consumer experience services available in the state; and

(2) How to establish a framework designed to encourage private sector investment in the deployment of electric vehicle charging equipment by:

(a) Encouraging private investment, ownership, and operation of publicly available electric vehicle charging equipment that allows for fast-charging at business locations that offer amenities such as restrooms, food, and beverages and are open twenty-four hours per day and seven days per week;

(b) Stimulating innovation, competition, and private investment in the electric vehicle charging market;

(c) Developing mechanisms to incentivize and support the long-term and short-term efficient and cost-effective use of the electric grid in a manner that supports the operation of electric vehicle charging equipment;

(d) Providing investment or incentive resources to support private investment in the operation of electric vehicle charging equipment;

(e) Balancing the roles of entities that supply, produce, or distribute electricity within the state for sale at wholesale or retail, and private enterprise in the market for electric vehicle charging services; and

(f) Establishing an electric vehicle charging rate structure that promotes long-term alternative fuel market competition by encouraging transparent pricing, stable operating costs, private investment, innovation, and a widespread implementation of publicly available fast-charging electric vehicle technology and equipment.

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

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 243.** Introduced by Sanders, 45.

PURPOSE: The purpose of this resolution is to propose an interim study to examine tax incentives for the film industry in Nebraska. This study shall include, but need not be limited to:

(1) An examination of the potential for job creation as a result of growth in the film industry;

(2) A review of economic development opportunities from an increase in tourism as a result of growth in the film industry;

(3) An analysis of potential revenue to be generated by the State of Nebraska as a result of growth in the film industry;

(4) An examination of the current film industry workforce and the potential film industry workforce as a result of growth in the film industry; and

(5) An exploration of strategies to support and grow the film industry used in other states and the potential application of such strategies in Nebraska, including strategies such as, but not limited to, tax incentives in the form of grants, rebates, and other economic incentives.

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

1. That the Revenue Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 244.** Introduced by Day, 49.

PURPOSE: The purpose of this resolution is to propose an interim study to examine guardianship in Nebraska. Guardianship is the process by which individuals can be found legally incapable of making decisions for themselves, and other adults are appointed to make decisions for them. Guardianships can be limited in scope, only giving decision-making authority in a limited number of areas, or they can be plenary, giving the guardian authority in all areas. Data indicates Nebraskans with disabilities are more often subject to plenary rather than limited guardianships. Experience has shown that plenary guardianships can be exploitative and

abused when training does not require periodic recertification and oversight is lax. Alternatives to guardianship such as allowances for a deliberative limiting of guardian decision-making or the providing of resources and structure that would be necessary to support self-direction for individuals with disabilities are rarely discussed or implemented.

This interim study should include, but need not be limited to:

(1) Examination of the present legal framework for guardianships, including the existing statutory preference of plenary guardianships versus limited guardianships, the training offered to guardians and judges, the judicial oversight of guardians and guardianships, and the services provided and fees charged by guardians;

(2) Exploration of public policy and legal mechanisms, including examples from other states, that result in better outcomes for individuals under guardianship; and

(3) Discussion of alternatives to guardianship, limiting guardianships to maximize a ward's self-determination, and ways to ensure that guardianships are appropriate and tailored to the needs of the individual rather than convenience.

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

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 245.** Introduced by Vargas, 7.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine juvenile detention costs and necessary updates to the juvenile detention facility standards or the Nebraska Juvenile Code.

At a time when state and local governments face rising costs of goods and services it is imperative that policy makers have access to informed estimates of the costs of juvenile detention. There are numerous ways to calculate the cost of detention and detention administrators within the state arrive at their costs through different methods. This study seeks to realize a standardized model for calculating the average cost of housing a youth in detention. This study will assist policy makers understand what components are typically included in a detention cost estimate, why one would or would not choose to include these elements, and what additional costs and revenue could be incorporated in the calculation of costs to detain youth. Additionally, the committee should consult the National Juvenile Justice Network Fiscal Policy Center's toolkit, publications, or staff for possible guidance.

The study should also consider specific content areas of the minimum juvenile detention facility standards that require updates. In addition,

alignment or changes in the Nebraska Juvenile Code as it relates to juvenile detention facilities should also be examined.

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

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 246.** Introduced by Linehan, 39.

**PURPOSE:** The purpose of this resolution is to propose an interim study to research the Metropolitan Omaha Educational Consortium.

The study shall include, but need not be limited to:

(1) An examination of what the Metropolitan Omaha Educational Consortium has accomplished over the last twenty years, including, but not limited to:

(a) How the consortium has improved education in metropolitan schools;

(b) What issues the consortium has identified as common to its members;

and

(c) What projects the consortium has undertaken and finished, the results of such projects, and how the results of such projects are used; and

(2) An examination of how the Metropolitan Omaha Educational Consortium is governed and how it is held accountable to its members.

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

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 247.** Introduced by Cavanaugh, J., 9.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine issues related to Legislative Bill 133 introduced in the One Hundred Eighth Legislature, First Session.

The study should include, but need not be limited to:

(1) An examination of current laws regarding the use of eminent domain by state agencies, boards, commissions, and other political subdivisions and the process such entities must follow to use eminent domain;

(2) An examination of current laws regarding the use of eminent domain by nonpublic or private entities and how the process differs, if at all, from the process used by political subdivisions;

(3) An examination of which public and nonpublic entities have the right of eminent domain;

(4) A determination of whether a public hearing prior to the use of eminent domain should be required; and

(5) An examination of any other potential policy changes regarding the use of eminent domain that the Legislature may consider.

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

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 248.** Introduced by Cavanaugh, J., 9.

**PURPOSE:** The purpose of this resolution is to propose an interim study to survey Nebraska's small public utilities, municipalities, and cooperatives, excluding the Lincoln Electric System, Nebraska Public Power District, and Omaha Public Power District, in a comprehensive manner which consolidates information relating to rates classifications and equipment. This study should also assess obsolescence, administrative costs, labor, the process of recruitment for staff, the ability to retain employees, budgeting, cash reserves, and retirement plans. A standard should be developed by the study so that a comparative analysis can be constructed so a direct comparison of districts can be made.

The objective of this study is to identify possible opportunities to share information, equipment, and staffing across districts to streamline performance and enhance efficiencies which will result in reduced energy costs for customers while, at the same time, preserving and enhancing reliability, service, and flexibility.

The study should also identify and justify barriers to innovation on farms and in businesses imposed by the small public utilities entities when restrictive limits are placed on new technologies, such as solar installations on farms and ranches. These barriers include different power purchasing agreements, and barriers to adaptation, such as amalgamating of meters.

Tremendous dislocations are occurring in the industry as new technologies open pathways to decoupling from the grid. Recent actions by the Omaha Public Power District have opened the door for more significant investment in renewables by ordinary businesses and homeowners, but these opportunities are not available in most of Nebraska. This is a barrier to economic development. The study should assess why this barrier exists and



how to promote more permissive policies in rural parts of the state without causing undue hardships to the rural electric associations.

Significant cooperative arrays have been put in place in several Nebraska municipalities. The study should assess how the cooperative arrays have impacted those communities and their relationships with their public utilities providers. Many Nebraska communities purchase their electricity through rural electric associations and the study should evaluate whether further development should be conducted.

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

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

### **VISITORS**

Visitors to the Chamber were students from Emerson Elementary, Columbus; Crista Eggers, Omaha/Gretna; students from Pine Creek Elementary, Bennington.

### **RECESS**

At 12:00 p.m., on a motion by Senator Armendariz, the Legislature recessed until 1:00 p.m.

### **AFTER RECESS**

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

### **ROLL CALL**

The roll was called and all members were present except Senators Aguilar, Bosn, Conrad, Day, DeBoer, B. Hansen, Vargas, and Walz who were excused until they arrive.

### **RESOLUTIONS**

**LEGISLATIVE RESOLUTION 249.** Introduced by Holdcroft, 36; Aguilar, 35; Albrecht, 17; Arch, 14; Armendariz, 18; Ballard, 21; Blood, 3; Bosn, 25; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Conrad, 46; Day, 49; DeBoer, 10; DeKay, 40; Dorn, 30; Dover, 19; Dungan, 26; Erdman, 47; Fredrickson, 20; Halloran, 33; Hansen, B., 16; Hardin, 48; Hughes, 24; Hunt, 8; Ibach, 44; Jacobson, 42; Kauth, 31; Linehan, 39; Lippincott, 34;

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.

WHEREAS, the Reserve Officers Association, now known as the Reserve Organization of America, recently entered its second century of service to American military readiness; and

WHEREAS, the Reserve Officers Association was founded on October 2, 1922, by the General of the Armies John J. "Black Jack" Pershing and other veterans at the Willard Hotel in Washington, D.C.; and

WHEREAS, from 1891 through 1895, General Pershing was a military instructor at the University of Nebraska where he led the cadet training program, taught classes, and studied law. Afterward, he remained a frequent visitor to Nebraska and called the state his second home; and

WHEREAS, the founders of the Reserve Officers Association, who were veterans of World War I, believed that the United States was vulnerable to returning to the state of unreadiness that preceded World War I and that they needed to prevent the same level of unreadiness in future conflicts; and

WHEREAS, the Reserve Officers Association was chartered by President Harry S. Truman, one of the early members of the Reserve Officers Association, in the Act entitled "An Act to Incorporate the Reserve Officers Association of the United States", approved June 30, 1950; and

WHEREAS, the congressional charter established the Reserve Officers Association, now known as the Reserve Organization of America, to support a military policy for the United States that will provide adequate national security; and

WHEREAS, the Reserve Organization of America is the only all ranks, all services, military service organization for the Reserve and National Guard, also known as the Reserve components, in the United States; and

WHEREAS, in 2022, the Reserve Organization of America celebrated one hundred years of serving the servicemembers and veterans of the uniformed services and the Reserve components, their families, and reserve employers; and

WHEREAS, the Reserve Organization of America was instrumental in the adoption of the federal Reserve Forces Bill of Rights and Vitalization Act which, among other measures, established the Selected Reserve in each service, provided adequate fiscal and equipment support for the Selected Reserve, and established assistant secretaries for reserve affairs and designated a general or flag officer responsible for reserve affairs for each Armed Force; and

WHEREAS, in November 2022, the United States Senate passed Senate Resolution 820 honoring the one hundredth anniversary of the founding of the Reserve Organization of America.

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

1. That the Legislature recognizes the Reserve Organization of America as a respected advocate for national security and readiness.

2. That the Legislature honors the vital role the Reserve Organization of America has played throughout the organization's one hundred years of service in strengthening the strategic and operational role of the Reserve components of the United States Military.

3. That the Legislature supports the Reserve Organization of America's focus on the readiness of the Reserve components and the care of those who serve in the Reserve and National Guard, their families, and veterans of the Reserve components.

Laid over.

**LEGISLATIVE RESOLUTION 250.** Introduced by McDonnell, 5.

**PURPOSE:** The purpose of this study is to consider improvements to the Property Assessed Clean Energy Act and property assessed clean energy financing for real estate development projects. Property assessed clean energy financing was authorized by the Nebraska Legislature in 2016. Commercial property assessed clean energy financing programs have been subsequently implemented by multiple cities across Nebraska and have been utilized for dozens of commercial real estate projects in Nebraska.

Property assessed clean energy financing can help fund the hard and soft costs of completing an energy efficiency, renewable energy, or water conservation project. This financing tool has helped communities not only meet the economic development goals of the community, but also to prioritize renewable energy and energy efficiency. Property assessed clean energy financing helps to generate significant local economic activity and job creation.

States that have authorized property assessed clean energy financing programs each have different aspects of the program unique to that state. Aspects of such programs found in other states such as retroactive financing or allowing the financing of resiliency measures may be a benefit to Nebraska. Amending the Property Assessed Clean Energy Act may be advantageous to ensure a robust and competitive program in Nebraska that further supports economic development and energy efficiency objectives.

The study shall consider the utilization of and potential improvements to the Property Assessed Clean Energy Act and potential legislative changes that may be necessary or beneficial.

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

1. That the Urban Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 251.** Introduced by Dover, 19; Aguilar, 35; Armendariz, 18; Ballard, 21; Bosn, 25; Bostar, 29; Cavanaugh, J., 9; DeBoer, 10; DeKay, 40; Fredrickson, 20; Hardin, 48; Holdcroft, 36; Hughes, 24; Ibach, 44; Linchan, 39; Lippincott, 34; Moser, 22; Sanders, 45; Vargas, 7; von Gillern, 4.

**PURPOSE:** The purpose of this resolution is to propose an interim study to explore the development of registered apprenticeship program sponsors within Nebraska's education system for early childhood care and education. Nationally, the apprenticeship model has been shown to be an effective tool for training students in early childhood care and education. Apprenticeships offer a unique mode of instruction and an avenue for earning pay while training on the job.

In Nebraska, seventy-four percent of children under six years of age live in households with all available parents in the workforce, which is the sixth highest amount among all states. Nebraska's current workforce capacity for early childhood care and education is insufficient to meet the needs of working families. The apprenticeship model is an effective way to serve both the interests of prospective students in early childhood care and education and the needs of Nebraska families.

This interim study shall include, but need not be limited to, an examination of the following:

- (1) The growing need for early childhood care and education in Nebraska;
- (2) The registered apprenticeship programs for early childhood care and education at the United States Department of Labor;
- (3) The available federal resources for the establishment of such programs;
- (4) The education infrastructure in the state to support such programs and existing state resources for such programs; and
- (5) Any public-private partnership opportunities for expanding the instruction and training infrastructure of early childhood care workers and educators, including an examination of similar initiatives in other states.

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

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LB799e.

**MOTION - Return LB818 to Select File**

Senator M. Cavanaugh renewed her motion, found and considered in this day's Journal, to return LB818 to Select File for her specific amendment, [FA134](#).

Pending.

**COMMITTEE REPORT**

Government, Military and Veterans Affairs

**LEGISLATIVE BILL 535.** Placed on General File with amendment. [AM1748](#) is available in the Bill Room.

(Signed) Tom Brewer, Chairperson

**AMENDMENTS - Print in Journal**

Senator Slama filed the following amendment to [LB535](#):  
[AM1808](#)

1 1. Strike section 7.

Senator Slama filed the following amendment to [LB535](#):  
[AM1807](#)

1 1. Strike section 6.

Senator Slama filed the following amendment to [LB535](#):  
[AM1809](#)

1 1. Strike section 8.

Senator Slama filed the following amendment to [LB535](#):  
[AM1810](#)

1 1. Strike section 9.

Senator Slama filed the following amendment to [LB535](#):  
[AM1811](#)

1 1. Strike section 10.

Senator Slama filed the following amendment to [LB535](#):  
[AM1812](#)

1 1. Strike section 11.

Senator Slama filed the following amendment to [LB535](#):  
[AM1813](#)

1 1. Strike section 12.

Senator Slama filed the following amendment to [LB535](#):  
[AM1814](#)

1 1. Strike section 13.

Senator Slama filed the following amendment to [LB535](#):

[AM1815](#)

1 1. Strike section 14.

Senator Slama filed the following amendment to [LB535](#):

[AM1816](#)

1 1. Strike section 15.

Senator Slama filed the following amendment to [LB535](#):

[AM1827](#)

1 1. On page 29, line 2, strike "January 1, 2024" and insert "March 1, 2024".

Senator Slama filed the following amendment to [LB535](#):

[AM1826](#)

1 1. On page 29, line 2, strike "January 1, 2024" and insert "October 21, 2024".

Senator Slama filed the following amendment to [LB535](#):

[AM1825](#)

1 1. On page 15, line 20, strike "and" and show as stricken.

Senator Slama filed the following amendment to [LB535](#):

[AM1824](#)

1 1. Strike the enacting clause.

Senator Slama filed the following amendment to [LB535](#):

[AM1823](#)

1 1. Strike section 22.

Senator Slama filed the following amendment to [LB535](#):

[AM1822](#)

1 1. Strike section 21.

Senator Slama filed the following amendment to [LB535](#):

[AM1821](#)

1 1. Strike section 20.

Senator Slama filed the following amendment to [LB535](#):

[AM1820](#)

1 1. Strike section 19.

Senator Slama filed the following amendment to [LB535](#):

[AM1819](#)

1 1. Strike section 18.

Senator Slama filed the following amendment to [LB535](#):

[AM1818](#)

1 1. Strike section 17.

Senator Slama filed the following amendment to [LB535](#):

[AM1817](#)

1 1. Strike section 16.

Senator Slama filed the following amendment to [LB535](#):

[AM1806](#)

1 1. Strike section 5.

Senator Slama filed the following amendment to [LB535](#):

[AM1802](#) is available in the Bill Room.

Senator Slama filed the following amendment to [LB535](#):

[AM1833](#) is available in the Bill Room.

#### **MOTION - Return LB818 to Select File**

Senator M. Cavanaugh renewed her motion, found and considered in this day's Journal, to return LB818 to Select File for her specific amendment, [FA134](#).

Voting in the affirmative, 0.

Voting in the negative, 41:

Aguilar	Brandt	Dover	Kauth	Sanders
Albrecht	Brewer	Dungan	Linchan	Slama
Arch	Briese	Fredrickson	Lippincott	von Gillern
Armendariz	Cavanaugh, J.	Halloran	Lowe	Walz
Ballard	Clements	Hardin	McDonnell	Wishart
Blood	Conrad	Holdcroft	Moser	
Bosn	DeBoer	Hughes	Murman	
Bostar	DeKay	Ibach	Raybould	
Bostelman	Dorn	Jacobson	Riepe	

Present and not voting, 3:

Cavanaugh, M. Erdman Hunt

Excused and not voting, 5:

Day Hansen McKinney Vargas Wayne

The M. Cavanaugh motion to return failed with 0 ayes, 41 nays, 3 present and not voting, and 5 excused and not voting.

#### **MOTION - Return LB818 to Select File**

Senator M. Cavanaugh moved to return LB818 to Select File for the following specific amendment:

[FA135](#)

Strike Section 2.

**SENATOR DORN PRESIDING**

Speaker Arch offered the following motion:

[MO1094](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Speaker Arch requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 41:

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

Voting in the negative, 1:

Hunt

Present and not voting, 4:

Cavanaugh, J. Cavanaugh, M. Dungan McKinney

Excused and not voting, 3:

Armendariz Day Wayne

The Arch motion to invoke cloture prevailed with 41 ayes, 1 nay, 4 present and not voting, and 3 excused and not voting.

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

Voting in the affirmative, 1:

Hunt

Voting in the negative, 43:



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

Present and not voting, 2:

Cavanaugh, M. McKinney

Excused and not voting, 3:

Armendariz Day Wayne

The M. Cavanaugh motion to return failed with 1 aye, 43 nays, 2 present and not voting, and 3 excused and not voting.

### **BILL ON FINAL READING**

#### **Dispense With Reading at Large**

Senator M. Cavanaugh requested a roll call vote.

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB818 with 40 ayes, 4 nays, 2 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 818.** With Emergency Clause.

A BILL FOR AN ACT relating to government funds; to amend sections 9-1,101, 37-324, 39-2805, 72-2211, 77-913, 79-1021, 80-401, and 81-15,174, Reissue Revised Statutes of Nebraska, and sections 37-1804, 46-1,164, 61-218, 61-224, 61-305, 71-7611, 72-729.01, 72-2201, 75-109.01, 81-12,147, 81-12,148, 81-12,220, 81-12,221, 81-12,222, 81-12,223, 81-12,225, 81-12,241, 81-12,243, 84-612, 86-163, and 86-324, Revised Statutes Cumulative Supplement, 2022; to provide for fund transfers; to provide, change, and eliminate provisions regarding the sources, uses, and transfers of funds; to provide for and change provisions regarding grants and funding of various projects; to create funds; to provide a duty for the Department of Health and Human Services; to eliminate funds and obsolete provisions; to harmonize provisions; to repeal the original sections; to outright repeal sections 72-2208, 81-1278, 81-1279, and 81-1280, Reissue

Revised Statutes of Nebraska, and sections 86-127 and 86-579, Revised Statutes Cumulative Supplement, 2022; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Senator M. Cavanaugh requested a roll call vote.

Voting in the affirmative, 41:

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

Voting in the negative, 3:

Cavanaugh, M.    Hunt                    McKinney

Present and not voting, 2:

Cavanaugh, J.    Dungan

Excused and not voting, 3:

Armendariz    Day                    Wayne

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

#### **AMENDMENT - Print in Journal**

Senator Walz filed the following amendment to [LB574](#):  
[AM1782](#) is available in the Bill Room.

#### **MOTION - Return LB282 to Select File**

Senator Hunt renewed her motion, found on page 1083 and considered on page 1564, to return LB282 to Select File for her specific amendment, [AM1285](#).

Senator Riepe requested a roll call vote on the Hunt motion to return.

Voting in the affirmative, 4:

Cavanaugh, J. Cavanaugh, M. Dungan Hunt

Voting in the negative, 29:

Aguilar	Brandt	Halloran	Kauth	Riepe
Armendariz	Clements	Hansen	Lippincott	Sanders
Ballard	DeBoer	Hardin	Lowe	Slama
Blood	DeKay	Holdcroft	McDonnell	von Gillern
Bosn	Dorn	Hughes	Moser	Walz
Bostelman	Dover	Jacobson	Murman	

Present and not voting, 6:

Brewer	Linehan	Raybould
Erdman	McKinney	Wayne

Excused and not voting, 10:

Albrecht	Bostar	Conrad	Fredrickson	Vargas
Arch	Briese	Day	Ibach	Wishart

The Hunt motion to return failed with 4 ayes, 29 nays, 6 present and not voting, and 10 excused and not voting.

**MOTION - Return LB282 to Select File**

Senator Hunt moved to return LB282 to Select File for her specific amendment, [AM1287](#), found on page 1083.

**SENATOR DEBOER PRESIDING**

**PRESIDENT KELLY PRESIDING**

Pending.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LB818e.

**MOTION - Return LB282 to Select File**

Senator Hunt renewed her motion, found on page 1083 and considered in this day's Journal, to return LB282 to Select File for her specific amendment, [AM1287](#).

Senator Riepe offered the following motion:

[MO1095](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Voting in the affirmative, 44:

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

Voting in the negative, 0.

Present and not voting, 3:

Hunt            McKinney    Wayne

Excused and not voting, 2:

Day            Ibach

The Riepe motion to invoke cloture prevailed with 44 ayes, 0 nays, 3 present and not voting, and 2 excused and not voting.

Voting in the affirmative, 2:

Cavanaugh, J.    Cavanaugh, M.

Voting in the negative, 41:

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

Present and not voting, 4:

Blood            Hunt            McKinney    Wayne

Excused and not voting, 2:

Day           Ibach

The Hunt motion to return failed with 2 ayes, 41 nays, 4 present and not voting, and 2 excused and not voting.

### **BILLS ON FINAL READING**

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB282 with 39 ayes, 4 nays, 4 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 282.** With Emergency Clause.

A BILL FOR AN ACT relating to claims against the state; to appropriate funds for the payment of certain claims; to provide for payment of the claims; to authorize agencies to write off certain claims as prescribed; to approve a contract claim; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 42:

Aguilar	Brandt	Dover	Jacobson	Sanders
Albrecht	Brewer	Dungan	Kauth	Slama
Arch	Briese	Erdman	Lippincott	Vargas
Armendariz	Cavanaugh, J.	Fredrickson	Lowe	von Gillern
Ballard	Clements	Halloran	McDonnell	Walz
Blood	Conrad	Hansen	Moser	Wishart
Bosn	DeBoer	Hardin	Murman	
Bostar	DeKay	Holdercroft	Raybould	
Bostelman	Dorn	Hughes	Riepe	

Voting in the negative, 0.

Present and not voting, 5:

Cavanaugh, M.    Hunt            Linehan        McKinney        Wayne

Excused and not voting, 2:

Day           Ibach

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 799A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to amend section 19, Legislative Bill 816, One Hundred Eighth Legislature, First Session, 2023; to appropriate funds to aid in carrying out the provisions of Legislative Bill 799, One Hundred Eighth Legislature, First Session, 2023; to provide operative dates; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

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

Voting in the negative, 0.

Present and not voting, 3:

Cavanaugh, M. McKinney Wayne

Excused and not voting, 2:

Day Ibach

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**COMMITTEE REPORTS**

Enrollment and Review

**LEGISLATIVE BILL 727.** Placed on Select File with amendment. [ER34](#) is available in the Bill Room.

(Signed) Beau Ballard, Chairperson

## Judiciary

**LEGISLATIVE BILL 220.** Placed on General File with amendment. [AM641](#) is available in the Bill Room.

(Signed) Justin Wayne, Chairperson

**AMENDMENTS - Print in Journal**

Senator Linehan filed the following amendment to [LB727](#):  
[FA136](#)  
Strike Section 1 of ER34.

Senator Slama filed the following amendment to [LB514](#):  
[FA137](#)  
Strike Section 3.

Senator Slama filed the following amendment to [LB514](#):  
[FA138](#)  
Strike Section 2.

Senator Slama filed the following amendment to [LB514](#):  
[FA139](#)  
Strike Section 1.

**RESOLUTION**

**LEGISLATIVE RESOLUTION 252.** Introduced by Health and Human Services Committee: Hansen, B., 16, Chairperson; Ballard, 21; Day, 49; Hardin, 48; Riepe, 12; Walz, 15.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine any issues within the jurisdiction of the Health and Human Services Committee of the Legislature that may arise during the interim.

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

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**SELECT FILE**

**LEGISLATIVE BILL 531.** Senator Hunt withdrew [MO147](#), found on page 907, to bracket.

Senator Hunt withdrew [MO146](#), found on page 907, to recommit to committee.

Senator McDonnell offered [AM1300](#), found on page 1139.

Pending.

### PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 799Ae and 282e.

### SELECT FILE

**LEGISLATIVE BILL 531.** Senator McDonnell renewed [AM1300](#), found on page 1139 and considered in this day's Journal.

Pending.

### COMMITTEE REPORT

#### Education

The Education Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Carter Peterson - Board of Trustees of the Nebraska State Colleges  
Adolfo Reynaga - Board of Trustees of the Nebraska State Colleges

Aye: 7. Albrecht, Briese, Conrad, Linehan, Murman, Sanders, Walz. Nay: 0.  
Absent: 0. Present and not voting: 1. Wayne.

The Education Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Dan O'Neill - Nebraska Educational Telecommunications Commission  
Courtney C. Wittstruck - Nebraska Educational Telecommunications  
Commission

Aye: 7. Albrecht, Briese, Conrad, Linehan, Murman, Sanders, Walz. Nay: 0.  
Absent: 0. Present and not voting: 1. Wayne.

The Education Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Molly O'Holleran - Coordinating Commission for Postsecondary Education



Tamara D. Weber - Coordinating Commission for Postsecondary Education

Aye: 7. Albrecht, Briese, Conrad, Linehan, Murman, Sanders, Walz. Nay: 0.  
Absent: 0. Present and not voting: 1. Wayne.

The Education Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Robert H. Kobza - Board of Educational Lands and Funds  
Jerald Meyer - Board of Educational Lands and Funds

Aye: 7. Albrecht, Briese, Conrad, Linehan, Murman, Sanders, Walz. Nay: 0.  
Absent: 0. Present and not voting: 1. Wayne.

The Education Committee desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Joshua P. Fields - Technical Advisory Committee for Statewide Assessment

Aye: 5. Albrecht, Conrad, Murman, Sanders, Walz. Nay: 0. Absent: 0.  
Present and not voting: 3. Briese, Linehan, Wayne.

The Education Committee desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Chad W. Buckendahl - Technical Advisory Committee for Statewide  
Assessment

Aye: 7. Albrecht, Briese, Conrad, Linehan, Murman, Sanders, Walz. Nay: 0.  
Absent: 0. Present and not voting: 1. Wayne.

(Signed) Dave Murman, Chairperson

#### **MOTIONS - Print in Journal**

Senator Slama filed the following motion to LB138:

[MO1096](#)

Recommit to the Government, Military, and Veterans Affairs Committee.

Senator Slama filed the following motion to LB138:

[MO1097](#)

Recommit to the Government, Military and Veterans Affairs Committee.

Senator Slama filed the following motion to LB138:

[MO1098](#)

Recommit to the Government, Military, and Veterans Affairs Committee.

Senator Slama filed the following motion to [LB138](#):  
[MO1099](#)  
Indefinitely postpone.

Senator Slama filed the following motion to [LB138](#):  
[MO1100](#)  
Indefinitely postpone.

Senator Slama filed the following motion to [LB138](#):  
[MO1101](#)  
Bracket until June 10, 2023.

Senator Slama filed the following motion to [LB138](#):  
[MO1102](#)  
Bracket until June 10, 2023.

Senator Slama filed the following motion to [LB465](#):  
[MO1103](#)  
Indefinitely postpone.

Senator Slama filed the following motion to [LB465](#):  
[MO1104](#)  
Indefinitely postpone.

Senator Slama filed the following motion to [LB465](#):  
[MO1105](#)  
Recommit to the Government, Military, and Veterans Affairs Committee.

Senator Slama filed the following motion to [LB465](#):  
[MO1106](#)  
Recommit to the Government, Military, and Veterans Affairs Committee.

Senator Slama filed the following motion to [LB465](#):  
[MO1107](#)  
Recommit to the Government, Military, and Veterans Affairs Committee.

Senator Slama filed the following motion to [LB465](#):  
[MO1108](#)  
Bracket until June 10, 2023.

Senator Slama filed the following motion to [LB465](#):  
[MO1109](#)  
Bracket until June 10, 2023.

**PRESENTED TO THE GOVERNOR**

Presented to the Governor on May 18, 2023, at 4:52 p.m. were the following: LBs 799e, 818e, 282e and 799Ae.

(Signed) Jamie Leishman  
Clerk of the Legislature's Office

**EASE**

The Legislature was at ease from 5:28 p.m. until 6:02 p.m.

**SPEAKER ARCH PRESIDING****PRESIDENT KELLY PRESIDING****SELECT FILE**

**LEGISLATIVE BILL 531.** Senator McDonnell renewed [AM1300](#), found on page 1139 and considered in this day's Journal.

The McDonnell amendment was withdrawn.

[ER23](#), found on page 1128, was adopted.

Pending.

**MOTIONS - Print in Journal**

Senator Slama filed the following motion to [LB684](#):  
[MO1110](#)  
Indefinitely postpone.

Senator Slama filed the following motion to [LB684](#):  
[MO1111](#)  
Indefinitely postpone.

Senator Slama filed the following motion to [LB684](#):  
[MO1112](#)  
Bracket until June 10, 2023.

Senator Slama filed the following motion to [LB684](#):  
[MO1113](#)  
Bracket until June 10, 2023.

Senator Slama filed the following motion to [LB684](#):  
[MO1114](#)  
Recommit to the Government, Military, and Veterans Affairs Committee.

Senator Slama filed the following motion to [LB684](#):

[MO1115](#)

Recommit to the Government, Military, and Veterans Affairs Committee.

Senator Slama filed the following motion to [LB684](#):

[MO1116](#)

Recommit to the Government, Military, and Veterans Affairs Committee.

### SELECT FILE

**LEGISLATIVE BILL 531.** Senator Hunt withdrew [MO145](#), found on page 907, to indefinitely postpone.

Senator M. Cavanaugh asked unanimous consent to withdraw [AM1723](#), found on page 1456, and replace it with the McKinney substitute amendment, [AM1880](#). No objections. So ordered.

[AM1880](#) is available in the Bill Room.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 31 ayes, 2 nays, and 16 not voting.

Senator McKinney requested a roll call vote, in reverse order, on his amendment.

Voting in the affirmative, 37:

Aguilar	Briese	Dover	Jacobson	Sanders
Arch	Cavanaugh, J.	Dungan	Kauth	Slama
Armendariz	Cavanaugh, M.	Fredrickson	Linehan	Vargas
Ballard	Conrad	Hansen	Lippincott	Walz
Blood	Day	Hardin	McDonnell	Wishart
Bostar	DeBoer	Holdcroft	McKinney	
Brandt	DeKay	Hughes	Moser	
Brewer	Dorn	Hunt	Raybould	

Voting in the negative, 3:

Albrecht	Clements	Lowe
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Present and not voting, 7:

Bosn	Erdman	Murman	Wayne
Bostelman	Halloran	Riepe	

Excused and not voting, 2:

Ibach	von Gillern
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The McKinney amendment was adopted with 37 ayes, 3 nays, 7 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Pending.

#### AMENDMENTS - Print in Journal

Senator Hunt filed the following amendment to [LB117](#):

[AM1840](#)

- 1 1. On page 3, line 27, strike "may", show as stricken, and insert
- 2 "shall".

Senator Hunt filed the following amendment to [LB117](#):

[AM1841](#)

- 1 1. On page 2, lines 23 and 24, strike "full-time-equivalent".

Senator Hunt filed the following amendment to [LB229](#):

[AM1842](#)

- 1 1. On page 2, line 3, strike "originating", show as stricken, and
- 2 insert "born"; in line 7 strike "originating" and insert "born in"; in
- 3 line 9 strike "from" and show as stricken; and in line 11 strike "point
- 4 of origin" and insert "state of birth".

Senator Hunt filed the following amendment to [LB229](#):

[AM1843](#)

- 1 1. On page 2, line 16, strike "a reasonable time", show as stricken,
- 2 and insert "sixty days".

Senator Hunt filed the following amendment to [LB336](#):

[AM1844](#)

- 1 1. On page 5, line 24, after "meet" insert "at least twice each year
- 2 and may meet at other times".

Senator Hunt filed the following amendment to [LB336](#):

[AM1845](#)

- 1 1. On page 5, line 29, after "Legislature" insert "by January 30 of
- 2 each year".

Senator Hunt filed the following amendment to [LB591](#):

[AM1846](#)

- 1 1. Strike original section 1 and insert the following new section:
- 2 Section 1. In order to terminate an oral lease of land used for
- 3 agricultural purposes, notice of intent to terminate shall be given one
- 4 calendar year prior to such termination date. If such notice is given
- 5 after January 1 of a year, the termination shall not be effective until
- 6 March 1 of the following year.

Senator Hunt filed the following amendment to [LB591](#):

[AM1847](#)

- 1 1. On page 1, line 1, strike "an oral" and insert "a".

Senator Hunt filed the following amendment to [LB662](#):

[AM1848](#)

1 1. On page 3, line 2, strike "applicable to an agricultural  
2 operation".

Senator Hunt filed the following amendment to LB662:  
AM1849

1 1. On page 3, strike lines 6 through 12 and show the old matter as  
2 stricken; in line 13 strike "(b)" and insert "(a)"; and in line 19 strike  
3 "(c)" and insert "(b)".

Senator Hunt filed the following amendment to LB735:  
AM1850

1 1. On page 2, line 18, strike "mandatory".

Senator Hunt filed the following amendment to LB735:  
AM1851

1 1. On page 2, line 23, strike "2024" and insert "2025".

Senator Slama filed the following amendment to LB514:  
AM1883 is available in the Bill Room.

### SELECT FILE

**LEGISLATIVE BILL 531.** Senator M. Cavanaugh asked unanimous consent to withdraw AM1722, found on page 1456, and replace it with the Wayne substitute amendment, AM1835. No objections. So ordered.  
AM1835

(Amendments to AM1222)

1 1. Insert the following new sections:  
2 Section 1. Section 59-1608.04, Reissue Revised Statutes of Nebraska,  
3 is amended to read:  
4 59-1608.04 (1) The State Settlement Cash Fund is created. The fund  
5 shall be maintained by the Department of Justice and administered by the  
6 Attorney General. Except as otherwise provided by law, the fund shall  
7 consist of all recoveries received pursuant to the Consumer Protection  
8 Act, including any money, funds, securities, or other things of value in  
9 the nature of civil damages or other payment, except criminal penalties,  
10 whether such recovery is by way of verdict, judgment, compromise, or  
11 settlement in or out of court, or other final disposition of any case or  
12 controversy, or any other payments received on behalf of the state by the  
13 Department of Justice and administered by the Attorney General for the  
14 benefit of the state or the general welfare of its citizens, but  
15 excluding all funds held in a trust capacity where specific benefits  
16 accrue to specific individuals, organizations, or governments. The fund  
17 may be expended for any allowable legal purposes as determined by the  
18 Attorney General and for purposes of section 11 of this act. Transfers  
19 from the State Settlement Cash Fund may be made at the direction of the  
20 Legislature to the Nebraska Capital Construction Fund, the Legal  
21 Education for Public Service and Rural Practice Loan Repayment Assistance  
22 Fund, and the General Fund. To provide necessary financial accountability  
23 and management oversight, revenue from individual settlement agreements  
24 or other separate sources credited to the State Settlement Cash Fund may  
25 be tracked and accounted for within the state accounting system through  
26 the use of separate and distinct funds, subfunds, or any other available  
1 accounting mechanism specifically approved by the Accounting  
2 Administrator for use by the Department of Justice. Any money in the fund  
3 available for investment shall be invested by the state investment

4 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
5 State Funds Investment Act.

6 (2) The State Treasurer shall transfer two million five hundred  
7 thousand dollars from the State Settlement Cash Fund to the Nebraska  
8 Capital Construction Fund on July 1, 2013, or as soon thereafter as  
9 administratively possible.

10 (3) The State Treasurer shall transfer eight hundred seventy-six  
11 thousand nine hundred ninety-eight dollars from the State Settlement Cash  
12 Fund to the General Fund on or before June 30, 2018, on such dates and in  
13 such amounts as directed by the budget administrator of the budget  
14 division of the Department of Administrative Services.

15 (4) The State Treasurer shall transfer one million seven hundred  
16 fifty-six thousand six hundred thirty-nine dollars from the State  
17 Settlement Cash Fund to the General Fund on or before June 30, 2019, on  
18 such dates and in such amounts as directed by the budget administrator of  
19 the budget division of the Department of Administrative Services.

20 (5) The State Treasurer shall transfer one hundred twenty-five  
21 thousand dollars from the State Settlement Cash Fund to the Legal  
22 Education for Public Service and Rural Practice Loan Repayment Assistance  
23 Fund on or before April 30, 2018, on such dates and in such amounts as  
24 directed by the budget administrator of the budget division of the  
25 Department of Administrative Services.

26 (6) The State Treasurer shall transfer one hundred fifty thousand  
27 dollars from the State Settlement Cash Fund to the Legal Education for  
28 Public Service and Rural Practice Loan Repayment Assistance Fund on or  
29 before July 9, 2018, on such dates and in such amounts as directed by the  
30 budget administrator of the budget division of the Department of  
31 Administrative Services.

1 Sec. 11. (1) The Game and Parks Commission shall purchase or receive  
2 by donation, and subsequently rehabilitate and manage, the Mayhew Cabin  
3 historical site located in Nebraska City, Nebraska.

4 (2) It is the intent of the Legislature to appropriate to the Game  
5 and Parks Commission for the Mayhew Cabin historical site:

6 (a) One million five hundred thousand dollars for fiscal year  
7 2023-24 from the State Settlement Cash Fund for purchase and  
8 rehabilitation;

9 (b) Two million dollars for fiscal year 2023-24 and two million  
10 dollars for fiscal year 2024-25 from the State Settlement Cash Fund for  
11 construction of a new visitor center;

12 (c) Seven hundred fifty thousand dollars for fiscal year 2025-26  
13 from the State Settlement Cash Fund for exhibit fabrication and  
14 historical interpretation; and

15 (d) Two hundred thousand dollars for fiscal year 2025-26 for  
16 staffing.

17 (3) The Game and Parks Commission and the Nebraska State Historical  
18 Society shall enter into a memorandum of understanding providing for  
19 operation of the visitor center and management of historical  
20 interpretation by the Nebraska State Historical Society.

21 2. Renumber the remaining sections and correct the repealer and  
22 internal references accordingly.

Senator Wayne offered the following amendment, to his amendment:

[FA149](#)

Strike pages 1-3 of AM1835 and insert the following, "The Game and Parks Commission shall purchase or receive by donation, and subsequently rehabilitate and manage, the Mayhew Cabin historical site located in Nebraska City, Nebraska."

The Wayne amendment, [FA149](#), to AM1835, was adopted with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

The Wayne amendment, [AM1835](#), as amended, was adopted with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

Senator Conrad offered [AM1757](#), found on page 1507.

The Conrad amendment was adopted with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

Senator Raybould offered [AM1789](#), found on page 1527.

The Raybould amendment was adopted with 28 ayes, 4 nays, 13 present and not voting, and 4 excused and not voting.

Senator McDonnell offered the following amendment:

[AM1771](#)

(Amendments to AM1222)

1 1. Insert the following new sections:

2 Section 1. Section 81-12,221, Revised Statutes Cumulative

3 Supplement, 2022, is amended to read:

4 81-12,221 For purposes of the Shovel-Ready Capital Recovery and

5 Investment Act:

6 (1) Capital project means a construction project to build, expand,  
7 or develop a new or existing facility or facilities or restoration work  
8 on a facility designated as a National Historic Landmark;

9 (2) Cost, in the context of a capital project, means the cost of

10 land, engineering, architectural planning, contract services,  
11 construction, materials, and equipment needed to complete the capital  
12 project;

13 (3) COVID-19 means the novel coronavirus identified as SARS-CoV-2,

14 the disease caused by the novel coronavirus SARS-CoV-2 or a virus

15 mutating therefrom, and the health conditions or threats associated with

16 the disease caused by the novel coronavirus SARS-CoV-2 or a virus

17 mutating therefrom;

18 (4) Department means the Department of Economic Development;

19 (5) Qualified nonprofit organization means a tax-exempt organization

20 under section 501(c)(3) of the Internal Revenue Code that:

21 (a) Is related to arts, culture, or the humanities, including any

22 organization formed for the purpose of developing and promoting the work

23 of artists and the humanities in various visual and performing forms,

24 such as film, sculpture, dance, painting, horticulture, multimedia,

25 poetry, photography, performing arts, zoology, or botany; or

26 (b) Operates a sports complex;

1 (c) Is a postsecondary educational institution in a city of the

2 metropolitan class and partners with an organization hosting a regional

3 or national event for purposes of infrastructure development related to

4 furnishing and equipment for a health sciences education center, enhanced

5 mobility by vacation of a public street, pedestrian safety, and

6 construction of a community athletic complex; or

7 (d) Is a county agricultural society with facilities located within

8 the boundaries of a city of the primary class;

9 (6) Sports complex means property that:

10 (a) Includes indoor areas, outdoor areas, or both;

11 (b) Is primarily used for competitive sports; and

12 (c) Contains multiple separate sports venues; and

13 (7) Sports venue includes, but is not limited to:

14 (a) A baseball field;



15 (b) A softball field;  
 16 (c) A soccer field;  
 17 (d) An outdoor stadium primarily used for competitive sports;  
 18 (e) An outdoor arena primarily used for competitive sports; and  
 19 (f) An enclosed, temperature-controlled building primarily used for  
 20 competitive sports.  
 21 Sec. 2. Section 81-12,222, Revised Statutes Cumulative Supplement,  
 22 2022, is amended to read:  
 23 81-12,222 (1) Beginning July 1, 2023 ~~2021~~, through July 1, 2024 ~~15~~,  
 24 ~~2021~~, a qualified nonprofit organization may apply to the department for  
 25 a grant under the Shovel-Ready Capital Recovery and Investment Act. The  
 26 application shall include, but not be limited to, the following  
 27 information:  
 28 (a) A description of the qualified nonprofit organization's capital  
 29 project;  
 30 (b) The estimated cost of the capital project; and  
 31 ~~(c) The date when the capital project was delayed due to COVID-19~~  
 1 ~~and the date when the capital project is expected to begin or resume,~~  
 2 ~~which shall be no later than June 30, 2022; and~~  
 3 ~~(c) (d)~~ Documentation on the amount of funds for the capital project  
 4 which have been received or will be received by the qualified nonprofit  
 5 organization from ~~other private~~ sources. Such amount shall be at least  
 6 equal to the amount of any grant received under the act. The  
 7 documentation provided under this subdivision does not need to identify  
 8 the names of any donors.  
 9 (2) The department shall consider applications in the order in which  
 10 they are received. If an applicant is a qualified nonprofit organization  
 11 and otherwise qualifies for funding under the Shovel-Ready Capital  
 12 Recovery and Investment Act, the department shall, subject to subsection  
 13 (3) of this section, approve the application and notify the applicant of  
 14 the approval.  
 15 (3) The department may approve applications within the limits of  
 16 available funding. The amount of any grant approved under this section  
 17 shall be equal to the amount of funds to be supplied by the qualified  
 18 nonprofit organization from ~~other private~~ sources, as documented under  
 19 subdivision ~~(1)(c) (d)~~ of this section, subject to the following  
 20 limitations:  
 21 (a) For any capital project with an estimated cost of less than five  
 22 hundred thousand dollars, the grant shall not exceed two hundred fifty  
 23 thousand dollars;  
 24 ~~(b) (a)~~ For any capital project with an estimated cost of at least  
 25 five hundred thousand dollars but less than five million dollars, the  
 26 grant shall not exceed one million five hundred thousand dollars;  
 27 ~~(c) (b)~~ For any capital project with an estimated cost of at least  
 28 five million dollars but less than twenty-five million dollars, the grant  
 29 shall not exceed five million dollars;  
 30 ~~(d) (e)~~ For any capital project with an estimated cost of at least  
 31 twenty-five million dollars but less than fifty million dollars, the  
 1 grant shall not exceed ten million dollars; and  
 2 ~~(e) (d)~~ For any capital project with an estimated cost of at least  
 3 fifty million dollars but less than one hundred million dollars or more,  
 4 the grant shall not exceed fifteen million dollars; and -  
 5 ~~(f)~~ For any capital project with an estimated cost of at least one  
 6 hundred million dollars, the grant shall not exceed thirty million  
 7 dollars.  
 8 Sec. 3. Section 81-12,223, Revised Statutes Cumulative Supplement,  
 9 2022, is amended to read:  
 10 81-12,223 (1) Each qualified nonprofit organization that receives a  
 11 grant under the Shovel-Ready Capital Recovery and Investment Act shall:  
 12 (a) Secure all of the ~~other private~~ funds described in subdivision

13 ~~(1)(c) (4)(d)~~ of section 81-12,222 through a written pledge or payment by  
 14 December 31, ~~2024~~ 2024, and shall begin or resume construction on the  
 15 organization's capital project by June 30, ~~2025~~ 2022; and  
 16 (b) Abide by the federal laws commonly known as the Davis-Bacon and  
 17 Related Acts.  
 18 (2) Any qualified nonprofit organization that fails to meet the  
 19 requirements of subsection (1) of this section shall repay any grant  
 20 funds received under the act.  
 21 Sec. 5. Section 81-12,225, Revised Statutes Cumulative Supplement,  
 22 2022, is amended to read:  
 23 81-12,225 (1) For any federal funds appropriated to the department  
 24 pursuant to the Shovel-Ready Capital Recovery and Investment Act, it is  
 25 the intent of the Legislature that the department divide the total  
 26 appropriation for grants to capital projects eligible under the act  
 27 equally for each congressional district and give priority to grant  
 28 requests less than or equal to five million dollars. After eligible  
 29 grantees with priority status have been awarded grant funds, remaining  
 30 funds may be awarded on a statewide basis with the department considering  
 31 each project based on the overall economic impact of the project to the  
 1 respective community and the overall benefit to the State of Nebraska. It  
 2 is the intent of the Legislature that the department make reasonable  
 3 adjustments to dates and deadlines and request additional documentation  
 4 pursuant to any requirements for the use of funds received pursuant to  
 5 the federal American Rescue Plan Act of 2021.  
 6 (2) For any cash funds appropriated to the department pursuant to  
 7 the Shovel-Ready Capital Recovery and Investment Act, it is the intent of  
 8 the Legislature that the department divide the total appropriation for  
 9 grants to capital projects eligible under the act as follows:  
 10 (a) Thirty million dollars for grants to nonprofit organizations  
 11 holding a certificate of exemption under section 501(c)(3) of the  
 12 Internal Revenue Code that are qualified nonprofit organizations under  
 13 subdivision (5)(c) of section 81-12,221; and  
 14 (b) Remaining funds equally by each congressional district.  
 15 (3) The changes made in this section and sections 81-12,220,  
 16 81-12,221, 81-12,222, and 81-12,223 by this legislative bill apply to all  
 17 grant applications filed on or after July 1, 2023. For all applications  
 18 filed prior to the effective date of this act, the provisions of the  
 19 Shovel-Ready Capital Recovery and Investment Act as they existed  
 20 immediately prior to such date apply.  
 21 It is the intent of the Legislature to allocate fifteen million  
 22 dollars from the General Fund and an additional amount of federal funds,  
 23 subject to the appropriations process, up to the amount needed to fully  
 24 fund all approved grants, from federal funds allocated to states pursuant  
 25 to the American Rescue Plan Act of 2021 from the Coronavirus State Fiscal  
 26 Recovery Fund and received by the State of Nebraska on or after May 26,  
 27 2021, if such use is permitted under section 9901 of the American Rescue  
 28 Plan Act of 2021, for use by the department for purposes of carrying out  
 29 the Shovel-Ready Capital Recovery and Investment Act.  
 30 2. Renumber the remaining sections and correct the repealer and  
 31 internal references accordingly.

The McDonnell amendment was adopted with 34 ayes, 1 nay, 10 present and not voting, and 4 excused and not voting.

Senator Brandt offered the following amendment:

[AM1838](#)

(Amendments to AM1222)

1 1. Insert the following new sections:

2 Section 1. Section 18-2709, Reissue Revised Statutes of Nebraska, is

3 amended to read:

4 18-2709 (1) Qualifying business means any corporation, partnership,  
5 limited liability company, or sole proprietorship which derives its  
6 principal source of income from any of the following: The manufacture of  
7 articles of commerce; the conduct of research and development; the  
8 processing, storage, transport, or sale of goods or commodities which are  
9 sold or traded in interstate commerce; the sale of services in interstate  
10 commerce; headquarters facilities relating to eligible activities as  
11 listed in this section; telecommunications activities, including services  
12 providing advanced telecommunications capability; tourism-related  
13 activities; or the production of films, including feature, independent,  
14 and documentary films, commercials, and television programs.

15 (2) Qualifying business also means:

16 (a) In cities of the first class, cities of the second class, and  
17 villages, a business that derives its principal source of income from the  
18 construction or rehabilitation of housing;

19 (b) In cities of the first class, cities of the second class, and  
20 villages, a business that derives its principal source of income from  
21 early childhood care and education programs;

22 (c) A business that derives its principal source of income from  
23 retail trade, except that no more than forty percent of the total revenue  
24 generated pursuant to the Local Option Municipal Economic Development Act  
25 for an economic development program in any twelve-month period and no  
26 more than twenty percent of the total revenue generated pursuant to the  
1 act for an economic development program in any five-year period,  
2 commencing from the date of municipal approval of an economic development  
3 program, shall be used by the city for or devoted to the use of retail  
4 trade businesses. For purposes of this subdivision, retail trade means a  
5 business which is principally engaged in the sale of goods or commodities  
6 to ultimate consumers for their own use or consumption and not for  
7 resale; and

8 (d) In cities with a population of ~~five thousand two thousand five~~  
9 ~~hundred~~ inhabitants or less as determined by the most recent federal  
10 decennial census or the most recent revised certified count by the United  
11 States Bureau of the Census, a business shall be a qualifying business  
12 even though it derives its principal source of income from activities  
13 other than those set out in this section.

14 (3) If a business which would otherwise be a qualifying business  
15 employs people and carries on activities in more than one city in  
16 Nebraska or will do so at any time during the first year following its  
17 application for participation in an economic development program, it  
18 shall be a qualifying business only if, in each such city, it maintains  
19 employment for the first two years following the date on which such  
20 business begins operations in the city as a participant in its economic  
21 development program at a level not less than its average employment in  
22 such city over the twelve-month period preceding participation.

23 (4) A qualifying business need not be located within the territorial  
24 boundaries of the city from which it is or will be receiving financial  
25 assistance.

26 (5) Qualifying business does not include a political subdivision, a  
27 state agency, or any other governmental entity, except as allowed for  
28 cities of the first class, cities of the second class, and villages for  
29 rural infrastructure development as provided for in subdivision (3)(b) of  
30 section 18-2705.

31 Sec. 11. Sections 1 and 13 of this act become operative three  
1 calendar months after the adjournment of this legislative session. The  
2 other sections of this act become operative on their effective date.

3 Sec. 13. Original section 18-2709, Reissue Revised Statutes of  
4 Nebraska, is repealed.

5 2. On page 9, line 19; and page 12, line 23, strike "effective date

6 of this act" and insert "operative date of this section".

7 3. On page 9, lines 19 and 20; and page 12, lines 28 and 29, strike

8 "effective date of this act" and insert "operative date of this section".

9 4. Renumber the remaining sections and correct internal references

10 accordingly.

The Brandt amendment was adopted with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

### GENERAL FILE

**LEGISLATIVE BILL 531A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 30 ayes, 3 nays, 11 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 562A.** Title read. Considered.

Senator Dorn withdrew [MO1069](#), found on page 1564, to bracket.

Senator Dorn offered [AM1781](#), found on page 1564.

The Dorn amendment was adopted with 34 ayes, 1 nay, 9 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 1 nay, 10 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 705A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 1 nay, 10 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 727A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 11 present and not voting, and 5 excused and not voting.

### AMENDMENTS - Print in Journal

Senator Slama filed the following amendment to [LB514](#):

[FA144](#)

Strike Section 1.

Senator Slama filed the following amendment to [LB514](#):

[FA145](#)

Strike Section 2.

Senator Slama filed the following amendment to LB514:

[FA146](#)

Strike Section 3.

Senator Slama filed the following amendment to LB514:

[FA147](#)

Strike Section 4.

Senator Slama filed the following amendment to LB514:

[FA148](#)

Strike Section 5.

### **VISITORS**

Visitors to the Chamber were students from West Bay Elementary, Elkhorn; Anna Bromm and Joseph Bromm, Peter Borough, England; students from Weeping Water Public Schools, Weeping Water; students and teachers from Classical Conversations, Lincoln.

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

### **ADJOURNMENT**

At 8:31 p.m., on a motion by Senator Wishart, the Legislature adjourned until 9:00 a.m., Friday, May 19, 2023.

Brandon Metzler  
Clerk of the Legislature

