

THIRTY-FIRST DAY - FEBRUARY 21, 2024**LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION****THIRTY-FIRST DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 21, 2024

PRAYER

The prayer was offered by Reverend Gregg Gahan, Craig-Alder Grove Parish, Craig.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Lt. Colonel Tom Pesek, 1st Combat Engineer Battalion Vietnam, Marine Corps, Brainard.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator von Gillern presiding.

The roll was called and all members were present except Senators Ballard, Bosn, Bostar, Brandt, M. Cavanaugh, Day, DeBoer, Hunt, Raybould, Walz, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirtieth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Borrell, Jeremy S. - Director, Aeronautics Division - Transportation and Telecommunications
Gentry, Christopher J. - Nebraska Brand Committee - Agriculture

(Signed) Raymond Aguilar, Chairperson
Executive Board

MESSAGE(S) FROM THE GOVERNOR

January 30, 2024

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

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

Contingent upon your approval, the following individual is being appointed as a member of the Boiler Safety Code Advisory Board:

Steven Bley, 8609 Highway 1, Nehawka, NE 68413, Owner/User

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

Sincerely,
(Signed) Jim Pillen
Governor

Enclosures

February 9, 2024

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

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

Contingent upon your approval, the following individual is being appointed as a member of the Nebraska Arts Council:

Jeanne Salerno, 909 Capitol Avenue - Apt 508, Omaha, NE 68102

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

Sincerely,
(Signed) Jim Pillen
Governor

Enclosures

COMMITTEE REPORT(S)

Education

LEGISLATIVE BILL 835. Placed on General File.**LEGISLATIVE BILL 1201.** Placed on General File.**LEGISLATIVE BILL 1306.** Placed on General File.

(Signed) Dave Murman, Chairperson

Agriculture

LEGISLATIVE BILL 1207. Placed on General File.**LEGISLATIVE BILL 1313.** Placed on General File.**LEGISLATIVE BILL 1368.** Placed on General File.

(Signed) Steve Halloran, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Revenue

Room 1524 1:30 PM

Wednesday, February 28, 2024

LB1379

LB1361

LB924

LB1043

LB1040

(Signed) Lou Ann Linehan, Chairperson

BILLS ON FIRST READING

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

LEGISLATIVE BILL 771A. Introduced by Sanders, 45.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 771, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.

LEGISLATIVE BILL 1394A. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1394, One Hundred Eighth Legislature, Second Session, 2024.

ANNOUNCEMENT

Senator Linehan announced the Revenue Committee will be holding an executive session whenever the Revenue Committee public hearings conclude before 5 PM this week.

GENERAL FILE

LEGISLATIVE BILL 856. Title read. Considered.

Committee [AM2510](#), found on page 711, was offered.

Senator Fredrickson offered [AM2544](#), found on page 756, to the committee amendment.

The Fredrickson amendment, to the committee amendment, was adopted with 38 ayes, 0 nays, 6 present and not voting, and 5 excused and not voting.

The committee amendment, as amended, was adopted with 38 ayes, 0 nays, 6 present and not voting, and 5 excused and not voting.

Senator Fredrickson withdrew [AM2158](#), found on page 509.

Senator Wayne requested a roll call vote, in reverse order, on the advancement of the bill.

Advanced to Enrollment and Review Initial with 35 ayes, 9 nays, 1 absent and not voting, and 4 excused and not voting.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 938. Placed on Select File.

LEGISLATIVE BILL 685. Placed on Select File with amendment.

[ER67](#)

1 1. On page 1, strike beginning with "gaming" in line 1 through line
2 15 and insert "law; to amend sections 77-3002, 77-3003, 77-3004, 77-3005,
3 and 77-3009, Reissue Revised Statutes of Nebraska, sections 77-3001,
4 77-3003.01, 77-3003.02, 77-3006, 77-3007, 77-3008, 77-3011, and 81-3729,
5 Revised Statutes Cumulative Supplement, 2022, and sections 9-1,101 and
6 53-101, Revised Statutes Supplement, 2023; to provide for the use of
7 certain funds; to provide requirements for licensees under the Nebraska
8 Liquor Control Act selling co-branded alcoholic beverages; to provide,
9 change, and eliminate definitions; to change and eliminate provisions of
10 the Mechanical Amusement Device Tax Act relating to licensure, powers and
11 duties of the Department of Revenue and Tax Commissioner, operation of
12 cash devices, taxes, and penalties; to change the age at which a person
13 may play a mechanical amusement device; to prohibit taxes by political
14 subdivisions; to provide for a central server; to provide a tax on cash
15 devices; to harmonize provisions; and to repeal the original sections.".

LEGISLATIVE BILL 829A. Placed on Select File.

LEGISLATIVE BILL 992A. Placed on Select File.

LEGISLATIVE BILL 857. Placed on Select File with amendment.

[ER66](#)

1 1. On page 1, strike beginning with "the" in line 1 through line 3
2 and insert "public health and welfare; to amend section 68-996, Revised
3 Statutes Cumulative Supplement, 2022; to create the Nebraska Prenatal
4 Plus Program; to change provisions relating to the Medicaid Managed Care
5 Excess Profit Fund; and to repeal the original section."

LEGISLATIVE BILL 1035. Placed on Select File.

LEGISLATIVE BILL 184. Placed on Final Reading.

LEGISLATIVE BILL 307. Placed on Final Reading.
[ST33](#)

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

1. On page 1, the matter beginning with "the" in line 1 through line 5 and all amendments thereto have been struck and "public health; to amend sections 28-441 and 28-442, Revised Statutes Cumulative Supplement, 2022; to provide for syringe services programs; to provide for exceptions to penalties under the Uniform Controlled Substances Act relating to drug paraphernalia; and to repeal the original sections." inserted.

LEGISLATIVE BILL 829. Placed on Final Reading.

(Signed) Beau Ballard, Chairperson

Banking, Commerce and Insurance

LEGISLATIVE BILL 1307. Placed on General File.

LEGISLATIVE BILL 582. Placed on General File with amendment.

[AM2280](#)

1 1. On page 2, line 28, strike "two" and insert "one".
2 2. On page 3, line 7, strike both occurrences of "2023" and insert
3 "2024"; and in line 31 strike "two" and insert "one".
4 3. On page 4, line 17, strike "XXXX" and insert "two million five
5 hundred thousand".

LEGISLATIVE BILL 991. Placed on General File with amendment.

[AM2224](#)

1 1. Strike original section 6.
2 2. On page 2, line 29, after the semicolon insert "and".
3 3. On page 3, line 1, strike "; and" and insert an underscored
4 period; strike lines 2 through 5; in line 14 strike the first "or"; in
5 line 15, after "protocol" insert ", or transferring digital assets solely
6 for other digital assets"; and in line 16 after the period insert "Such
7 exemption to the requirement to obtain a license under the Nebraska Money
8 Transmitters Act shall not apply to other business activities of such
9 individual."
10 4. Renumber the remaining sections and correct internal references
11 accordingly.

LEGISLATIVE BILL 1120. Placed on General File with amendment.

[AM2519](#) is available in the Bill Room.

(Signed) Julie Slama, Chairperson

Education

LEGISLATIVE BILL 1027. Placed on General File with amendment.[AM2440](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 79-1601, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 79-1601 (1) Except as provided in subsections (2) through (6) of
6 this section, all private, denominational, and parochial schools in the
7 State of Nebraska and all teachers employed or giving instruction in such
8 schools shall be subject to and governed by the provisions of the general
9 school laws of the state so far as the same apply to grades,
10 qualifications, and certification of teachers and promotion of students.
11 All private, denominational, and parochial schools shall have adequate
12 equipment and supplies, shall be graded the same, and shall have courses
13 of study for each grade conducted in such schools substantially the same
14 as those given in the public schools which the students would attend in
15 the absence of such private, denominational, or parochial schools.
16 (2) All private, denominational, or parochial schools shall either
17 comply with the accreditation or approval requirements as prescribed
18 pursuant to ~~in~~ section 79-318 or, for those schools which elect not to
19 meet accreditation or approval requirements, the requirements prescribed
20 in ~~section 79-318 and~~ subsections (2) through (6) of this section.
21 Standards and procedures for approval and accreditation shall be based
22 upon the program of studies, guidance services, the number and
23 preparation of teachers in relation to the curriculum and enrollment,
24 instructional materials and equipment, science facilities and equipment,
25 library facilities and materials, and health and safety factors in
26 buildings and grounds. Rules and regulations governing which govern
27 ~~standards and~~ procedures for private, denominational, and parochial
28 schools which elect, pursuant to the procedures prescribed in subsections
29 (2) through (6) of this section, not to meet state accreditation or
30 approval requirements shall be based upon an assurance evidence that such
31 schools offer a program of instruction leading to the acquisition of
32 basic skills in the language arts, mathematics, science, social studies,
33 and health. The assurance required pursuant to this subsection shall be
34 satisfied by a signed statement by the parent or legal guardian of a
35 student that the education provided complies with subsections (2) through
36 (6) of this section. Rules and regulations which govern procedures under
37 this section are limited to procedures for receiving information from a
38 parent or legal guardian of a student or a parent representative when
39 such individual files the election not to meet accreditation or approval
40 requirements under this section. Such rules and regulations may include a
41 provision for the visitation of such schools and regular achievement
42 testing of students attending such schools in order to insure that such
43 schools are offering instruction in the basic skills listed in this
44 subsection. Any arrangements for visitation or testing shall be made
45 through a parent representative of each such school. The results of such
46 testing may be used as evidence that such schools are offering
47 instruction in such basic skills but shall not be used to measure,
48 compare, or evaluate the competency of students at such schools.
49 (3) The provisions of subsections (3) through (6) of this section
50 shall apply to any private, denominational, or parochial school in the
51 State of Nebraska which elects not to meet state accreditation or
52 approval requirements. An election Elections pursuant to such subsections
53 shall be effective when a statement is received by the Commissioner of
54 Education signed by a parent or legal guardian ~~the parents or legal~~
55 ~~guardians of each student~~ all students attending such private,
56 denominational, or parochial school, stating that (a) either specifically
57 (i) the requirements for approval and accreditation required by law and
58 the rules and regulations adopted and promulgated by the State Board of
59 Education violate sincerely held religious beliefs of the parent ~~parents~~

2 or legal guardian guardians or (ii) the requirements for approval and
 3 accreditation required by law and the rules and regulations adopted and
 4 promulgated by the State Board of Education interfere with the decisions
 5 of the parent parents or legal guardian guardians in directing the
 6 student's education, (b) an authorized representative of such parent
 7 parents or legal guardian guardians will at least annually submit to the
 8 Commissioner of Education an assurance the information necessary to prove
 9 that the requirements of subdivisions (4)(a) through (c) of this section
 10 are and will continue to be satisfied, (c) the school offers the courses
 11 of instruction required by subsections (2), (3), and (4) of this section,
 12 and (d) the parent parents or legal guardian is guardians have satisfied
 13 themselves that individuals monitoring instruction at such school are
 14 qualified to monitor instruction in the basic skills as required by
 15 subsections (2), (3), and (4) of this section and that such individuals
 16 have demonstrated an alternative competency to monitor instruction or
 17 supervise students pursuant to subsections (3) through (6) of this
 18 section.

19 (4) Each such private, denominational, or parochial school shall (a)
 20 meet minimum requirements relating to health, fire, and safety standards
 21 prescribed by state law and the rules and regulations of the State Fire
 22 Marshal, (b) report attendance pursuant to section 79-201, (c) maintain a
 23 sequential program of instruction designed to lead to basic skills in the
 24 language arts, mathematics, science, social studies, and health, and (d)
 25 comply with the immunization requirements in section 79-217 if the
 26 statement signed by the parent parents or legal guardian indicates
 27 guardians indicate a nonreligious reason pursuant to subdivision (3)(a)
 28 (ii) of this section for the student attending a private, denominational,
 29 or parochial school which elects not to meet state accreditation or
 30 approval requirements. The State Board of Education shall establish
 31 procedures for receiving information and reports required by subsections
 1 (3) through (6) of this section from authorized parent representatives
 2 who may act as agents for the parent parents or legal guardian guardians
 3 of a student students attending such schools school and for individuals
 4 monitoring instruction in the basic skills required by subsections (2);
 5 (3), and (4) of this section.

6 (5) Individuals employed or utilized by schools which elect not to
 7 meet state accreditation or approval requirements shall not be required
 8 to meet the certification requirements prescribed in sections 79-801 to
 9 79-815, but shall either (a) take appropriate subject matter components
 10 of a nationally recognized teacher competency examination designated by
 11 the State Board of Education as (i) including the appropriate subject
 12 matter areas for purposes of satisfying the requirements of subsections
 13 (3) and (4) of this section and (ii) a nationally recognized examination
 14 or (b) offer evidence of competence to provide instruction in the basic
 15 skills required by subsections (3) and (4) of this section pursuant to
 16 informal methods of evaluation which shall be developed by the State
 17 Board of Education. Such evidence may include educational transcripts,
 18 diplomas, and other information regarding the formal educational
 19 background of such individuals. Information concerning test results,
 20 transcripts, diplomas, and other evidence of formal education may be
 21 transmitted to the State Department of Education by authorized
 22 representatives of parents or legal guardians. The results of such
 23 testing or alternative evaluation of individuals who monitor the
 24 instruction of students attending such schools may be used as evidence of
 25 whether or not such schools are offering adequate instruction in the
 26 basic skills prescribed in subsections (2), (3), and (4) of this section
 27 but shall not be used to prohibit any such school from employing such
 28 individuals. Failure of a monitor, who is tested for the purpose of
 29 satisfying in whole or in part the requirements of subsections (3)
 30 through (6) of this section, to attain a score equal to or exceeding both
 31 the state or national average score or rating on appropriate subject
 1 matter components of recognized teacher competency examinations
 2 designated by the State Board of Education may be by itself sufficient
 3 proof that such school does not offer adequate instruction in the basic

4 skills prescribed in subsections (3) and (4) of this section.
 5 ~~(6) The demonstration of competency to monitor instruction in a~~
 6 ~~private, denominational, or parochial school which has elected not to~~
 7 ~~meet state accreditation or approval requirements shall in no way~~
 8 ~~constitute or be construed to grant a license, permit, or certificate to~~
 9 ~~teach in the State of Nebraska.~~ Any school which elects not to meet state
 10 accreditation or approval requirements and does not meet the requirements
 11 of subsections (2) through (6) of this section shall not be deemed a
 12 school for purposes of section 79-201, and the parent parents or legal
 13 guardian guardians of any students attending such school shall be subject
 14 to prosecution pursuant to such section 79-201 or any statutes relating
 15 to habitual truancy.
 16 Sec. 2. Original section 79-1601, Reissue Revised Statutes of
 17 Nebraska, is repealed.

(Signed) Dave Murman, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Health and Human Services
 Room 1510 1:30 PM

Wednesday, February 28, 2024

LB871
 LB1237
 LB1261
 LB1280

(Signed) Ben Hansen, Chairperson

AMENDMENT(S) - Print in Journal

Senator Sanders filed the following amendment to [LR277CA](#):

[AM2572](#)

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. At the general election in November 2024, the following
 4 proposed amendment to the Constitution of Nebraska shall be submitted to
 5 the electors of the State of Nebraska for approval or rejection:
 6 To add a new section 27 to Article XV:
 7 XV-27 The Legislature shall enact laws necessary to protect children
 8 of this state from child predators. To that end, the Legislature shall
 9 enact a law providing that any individual, other than a trafficking
 10 victim, who is convicted of the offense of sex trafficking of a minor or
 11 labor trafficking of a minor may be sentenced to a term of imprisonment
 12 with a minimum term of life imprisonment.
 13 Sec. 2. The proposed amendment shall be submitted to the electors
 14 in the manner prescribed by the Constitution of Nebraska, Article XVI,
 15 section 1, with the following ballot language:
 16 A constitutional amendment to require the Legislature to enact laws
 17 allowing a judge to impose a minimum sentence of life imprisonment on an
 18 individual, other than a trafficking victim, convicted of sex trafficking
 19 of a minor or labor trafficking of a minor.
 20 For
 21 Against.

Senator Sanders filed the following amendment to [LB1022](#):

[AM2487](#) is available in the Bill Room.

Senator Conrad filed the following amendment to [LB71](#):
[AM2589](#)

(Amendments to Standing Committee amendments, AM833)

- 1 1. Insert the following new section:
- 2 Sec. 8. (1) For purposes of this section:
- 3 (a) Academic needs means that a child is at least one year below
- 4 grade level and behind the child's typically developing peers in reading,
- 5 English, and language arts such that the child does not possess the
- 6 necessary academic skills required to succeed in reading, English, and
- 7 language arts at grade level for the next grade the student would
- 8 otherwise advance to;
- 9 (b) Excessive absenteeism means that the child was absent fifty
- 10 percent or more of the school year and includes excused absences,
- 11 unexcused absences, and absences due to suspension or expulsion. Absences
- 12 due to approved school-related activities, such as field trips,
- 13 competitions, athletic events, and testing, are not included; and
- 14 (c) Illness means that the child experienced a severe mental or
- 15 physical illness resulting in hospitalization of two or more weeks during
- 16 the school year.
- 17 (2)(a) A parent or guardian shall have the right to have such
- 18 parent's or guardian's child repeat a grade in kindergarten through
- 19 fourth grade due to academic needs, illness, or excessive absenteeism.
- 20 (b) A parent or guardian shall have the right to have such parent's
- 21 or guardian's child repeat a grade in fifth through twelfth grade due to
- 22 excessive absenteeism.
- 23 (3) A parent or guardian requesting such parent's or guardian's
- 24 child repeat a grade pursuant to subdivision (2)(a) or (b) of this
- 25 section shall request and have a meeting with the school district
- 26 superintendent or the superintendent's designee of the school district
- 1 such child attends to discuss the parent's or guardian's decision to have
- 2 the child repeat a grade and such parent or guardian shall provide
- 3 evidence of academic needs, illness, or excessive absenteeism that would
- 4 authorize the parent or guardian to have such child repeat a grade. At
- 5 such meeting, the superintendent or superintendent's designee shall
- 6 identify any alternative educational opportunities, including remedial
- 7 instruction if applicable, and verify any special education supports
- 8 available to such child. If the child's parent or guardian still intends
- 9 to have such child repeat a grade, such parent or guardian shall complete
- 10 a form prescribed by the State Department of Education and return such
- 11 form to the school district such child attends. Upon completion of the
- 12 form and if all requirements pursuant to this subsection are met, the
- 13 school district shall have the child repeat the child's grade for the
- 14 next school year.
- 15 (4) A school district shall submit any form filed with such school
- 16 district relating to a request by a child's parent or guardian to have
- 17 such child repeat a grade with the State Department of Education. Data
- 18 regarding such students shall be collected under subsection (2) of
- 19 section 79-528.
- 20 (5) The State Board of Education may adopt and promulgate rules and
- 21 regulations to carry out this section.
- 22 2. Renumber the remaining section accordingly.

MESSAGE(S) FROM THE GOVERNOR

February 20, 2024

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

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

In August 2022, former Governor Ricketts appointed Timothy Krause to the Natural Resources Commission. To date, he has failed to submit paperwork requested by the Legislature.

At the Legislature's request, we are withdrawing him from consideration for confirmation. His contact information is as follows:

Timothy E Krause, 78580 Highway 183, Mason City NE 68855

Please feel free to contact my office with any questions.

Sincerely,
(Signed) Jim Pillen
Governor

cc: Natural Resources Commission

GENERAL FILE

LEGISLATIVE BILL 1355. Title read. Considered.

Committee [AM2559](#), found on page 752, was offered.

Senator Vargas offered the following amendment to the committee amendment:

[AM2629](#)

(Amendments to Standing Committee amendments, AM2559)

1 1. Strike sections 6, 10, 12, and 17 and insert the following new
2 sections:
3 Sec. 6. Section 71-2485, Revised Statutes Cumulative Supplement,
4 2022, is amended to read:
5 71-2485 Sections 71-2485 to 71-2490 and sections 9 and 13 to 17 of
6 this act shall be known and may be cited as the Opioid Prevention and
7 Treatment Act.
8 Sec. 10. Section 71-2488, Revised Statutes Cumulative Supplement,
9 2022, is amended to read:
10 71-2488 Any funds appropriated from the Opioid Cash Fund or
11 distributed from the Nebraska Opioid Recovery Trust Fund under the Opioid
12 Prevention and Treatment Act shall not be considered ongoing entitlements
13 or an obligation on the part of the State of Nebraska. The department's
14 administrative cost for the awarding of grants under the act shall not
15 exceed an amount equal to ten percent of the grants awarded. Any funds
16 appropriated or distributed under the Opioid Prevention and Treatment Act
17 æt shall be spent in accordance with the Opioid Prevention and Treatment
18 Act and the terms of any verdict, judgment, compromise, or settlement in
19 or out of court, of any case or controversy brought by the Attorney
20 General pursuant to the Consumer Protection Act or the Uniform Deceptive
21 Trade Practices Act.
22 Sec. 12. Section 71-2490, Revised Statutes Cumulative Supplement,
23 2022, is amended to read:
24 71-2490 (1) The Nebraska Opioid Recovery Trust Fund is created. The

25 fund shall include all recoveries received on behalf of the state by the
26 Department of Justice pursuant to the Consumer Protection Act or the
1 Uniform Deceptive Trade Practices Act related to the advertising of
2 opioids. The fund shall include any money, payments, or other things of
3 value in the nature of civil damages or other payment, except criminal
4 penalties, whether such recovery is by way of verdict, judgment,
5 compromise, or settlement in or out of court, of any case or controversy
6 pursuant to such acts. The Department of Justice shall remit any such
7 revenue to the State Treasurer for credit to the Nebraska Opioid Recovery
8 Trust Fund.

9 (2) Any funds appropriated, expended, or distributed from the
10 Nebraska Opioid Recovery Trust Fund shall be spent in accordance with the
11 terms of any verdict, judgment, compromise, or settlement in or out of
12 court, of any case or controversy brought by the Attorney General
13 pursuant to the Consumer Protection Act or the Uniform Deceptive Trade
14 Practices Act. Subject to the terms and conditions of such litigation or
15 settlement, money from the Nebraska Opioid Recovery Trust Fund shall be
16 transferred to the Opioid Cash Fund as provided in section 13 of this
17 act.

18 (3) The Nebraska Opioid Recovery Trust Fund fund shall exclude funds
19 held in a trust capacity where specific benefits accrue to specific
20 individuals, organizations, political subdivisions, or governments. Such
21 excluded funds shall be deposited in the State Settlement Trust Fund
22 pursuant to section 59-1608.05.

23 (4) Any money in the Nebraska Opioid Recovery Trust Fund available
24 for investment shall be invested by the state investment officer pursuant
25 to the Nebraska Capital Expansion Act and the Nebraska State Funds
26 Investment Act.

27 Sec. 13. (1) The Opioid Cash Fund is created. The State Treasurer
28 shall transfer seven million dollars on or before every July 15 from the
29 Nebraska Opioid Recovery Trust Fund to the Opioid Cash Fund, except that
30 such amount shall be reduced by the amount of the unobligated balance in
31 the Opioid Cash Fund at the time the transfer is made. The state
1 investment officer shall advise the State Treasurer on the amounts to be
2 transferred from the Nebraska Opioid Recovery Trust Fund in order to
3 sustain such transfers in perpetuity. The state investment officer shall
4 report electronically to the Legislature on or before October 1 of every
5 even-numbered year on the sustainability of such transfers. Except as
6 otherwise provided by law, no more than the amounts specified in this
7 subsection may be appropriated or transferred from the Opioid Cash Fund
8 in any fiscal year.

9 (2) Any money in the Opioid Cash Fund available for investment shall
10 be invested by the state investment officer pursuant to the Nebraska
11 Capital Expansion Act and the Nebraska State Funds Investment Act.

12 (3) It is the intent of the Legislature to annually appropriate from
13 the Opioid Cash Fund beginning in FY2024-25:

14 (a) Three million five hundred thousand dollars to the department to
15 award grants under the Opioid Prevention and Treatment Act;

16 (b) One million dollars to the Nebraska State Patrol for purposes of
17 sections 15 and 16 of this act; and

18 (c) Two million five hundred thousand dollars to the department for
19 disbursement to regional behavioral health authorities for behavioral
20 health regions established pursuant to section 71-807 for opioid
21 prevention and harm reduction under the Opioid Prevention and Treatment
22 Act as follows:

23 (i) Five and four-hundred-seventy-six thousandths percent to region
24 1;

25 (ii) Five and one-hundred-twelve thousandths percent to region 2;

26 (iii) Ten and eight thousand nine hundred eighty-two ten-thousandths
27 percent to region 3;

28 ~~(iv) Eight and five thousand eight hundred thirty-three ten-~~
 29 ~~thousandths percent to region 4;~~
 30 ~~(v) Twenty-five and seven thousand four hundred twenty-one ten-~~
 31 ~~thousandths percent to region 5; and~~
 1 ~~(vi) Forty-four and one thousand eight hundred sixty-nine ten-~~
 2 ~~thousandths percent to region 6.~~
 3 Sec. 18. Sections 2, 3, 4, 5, and 20 of this act become operative
 4 three calendar months after the adjournment of this legislative session.
 5 The other sections of this act become operative on their effective date.
 6 Sec. 19. Original section 28-429, Reissue Revised Statutes of
 7 Nebraska, and sections 71-2485, 71-2486, 71-2487, 71-2488, 71-2489, and
 8 71-2490, Revised Statutes Cumulative Supplement, 2022, are repealed.
 9 Sec. 20. Original sections 38-1201 and 38-1225, Revised Statutes
 10 Cumulative Supplement, 2022, are repealed.
 11 Sec. 21. Since an emergency exists, this act takes effect when
 12 passed and approved according to law.

The Vargas amendment, to the committee amendment, was adopted with 37 ayes, 0 nays, 10 present and not voting, and 2 excused and not voting.

The committee amendment, as amended, was adopted with 37 ayes, 0 nays, 10 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 137. Senator M. Cavanaugh offered the following motion:

[MO1192](#)

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

Senator Bosn opened on her bill, LB137.

Senator M. Cavanaugh opened on her motion, MO1192.

Pending.

AMENDMENT(S) - Print in Journal

Senator Erdman filed the following amendment to [LB1218](#):

[AM2611](#)

1 1. Insert the following new section:
 2 Sec. 9. (1) For purposes of this section, program means the National
 3 Electric Vehicle Infrastructure Formula Program of the Federal Highway
 4 Administration of the United States Department of Transportation.
 5 (2) All component parts of a commercial electric vehicle charging
 6 station or a direct-current, fast-charging station shall be produced,
 7 manufactured, and assembled within the United States in order to be
 8 eligible for program funds administered by the State of Nebraska. As a
 9 requirement before receiving any funds from the program, an eligible
 10 recipient of program funds shall first submit documentation to the
 11 Nebraska Department of Transportation, in a manner prescribed by the
 12 department, certifying the national origin of all component parts for
 13 each commercial electric vehicle charging station or direct-current,

- 14 ~~fast-charging station operated by the recipient of such funds.~~
 15 2. On page 8, line 24, strike "section 8" and insert "sections 8 and 16 9".
 17 3. On page 13, lines 22 and 27, strike "11" and insert "12".
 18 4. On page 14, line 4, strike "9, 10, 11, and 13" and insert "10, 19 11, 12, and 15".
 20 5. Renumber the remaining sections accordingly.

Senator Clements filed the following amendment to LB1067:
AM2562

(Amendments to Standing Committee amendments, AM2492)

- 1 1. Strike amendment 2 and insert the following new amendments:
 2 1. Strike original sections 13 and 14.
 3 3. Renumber the remaining sections and correct the repealer
 4 accordingly.
 5 2. Renumber the remaining amendment accordingly.

Senator Wayne filed the following amendment to LB137:
AM2643

(Amendments to Standing Committee amendments, AM2154)

- 1 1. Insert the following new amendment:
 2 1. On page 2, line 18, strike "(3)", show as stricken, and insert
 3 "(3)(a)"; in line 25 after "shall" insert ";
 4 (i) Except as provided in subdivision (3)(a)(iii) of this section,
 5 if the total weight of the substance is one-half of one gram or less, be
 6 guilty of a Class I misdemeanor;
 7 (ii) If the total weight of the substance is more than one-half of
 8 one gram, be guilty of a Class IV felony; or
 9 (iii) If the substance is scheduled in section 28-405 and is
 10 fentanyl, a fentanyl analogue, or a compound structurally derived from
 11 fentanyl"; and after the period in line 25 insert paragraphing and
 12 "(b)".
 13 2. Renumber the remaining amendment accordingly.

MOTION(S) - Print in Journal

Senator M. Cavanaugh filed the following motion to LB421:
MO1195
 Recommit to the Health and Human Services Committee.

Senator M. Cavanaugh filed the following motion to LB421:
MO1196
 Indefinitely postpone.

Senator M. Cavanaugh filed the following motion to LB421:
MO1197
 Recommit to the Health and Human Services Committee.

Senator M. Cavanaugh filed the following motion to LB421:
MO1198
 Bracket until April 17, 2024.

Senator M. Cavanaugh filed the following motion to LB421:
MO1199
 Bracket until March 30, 2024.

Senator M. Cavanaugh filed the following motion to [LB421](#):
[MO1200](#)
 Recommit to the Health and Human Services Committee.

Senator M. Cavanaugh filed the following motion to [LB421](#):
[MO1201](#)
 Indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator M. Cavanaugh filed the following motion to [LB137](#):
[MO1193](#)
 Recommit to the Judiciary Committee.

Senator M. Cavanaugh filed the following motion to [LB137](#):
[MO1194](#)
 Bracket until February 23, 2024.

COMMITTEE REPORT(S)
 Education

LEGISLATIVE BILL 1052. Placed on General File with amendment.
[AM2616](#)

1 1. Strike the original section and insert the following new section:
 2 Section 1. (1) Beginning with the 2024-25 school year and subject
 3 to available appropriations, a teacher employed at an approved or
 4 accredited public, private, denominational, or parochial school in this
 5 state teaching kindergarten through twelfth grade may apply to the State
 6 Department of Education on forms and in a manner prescribed by the
 7 department to receive up to two hundred dollars per school year in
 8 reimbursement for school supplies paid for by such teacher. A teacher
 9 shall be required to submit copies of receipts for such supplies in order
 10 to receive reimbursement.
 11 (2) The State Board of Education shall develop a policy, which shall
 12 be available on the State Department of Education's website, relating to
 13 the types of school supplies that qualify for reimbursement pursuant to
 14 this section.
 15 (3) The State Board of Education may adopt and promulgate rules and
 16 regulations to carry out this section.
 17 (4)(a) It is the intent of the Legislature to appropriate up to five
 18 million dollars from the General Fund for FY2024-25 and each fiscal year
 19 thereafter for reimbursements for school supplies pursuant to this
 20 section.
 21 (b) It is the intent of the Legislature that if the department does
 22 not award all of the available appropriation for reimbursement in any
 23 fiscal year, the unobligated amount of the appropriation shall be
 24 reappropriated for the next fiscal year to increase the total amount of
 25 reimbursements awarded the following fiscal year.

(Signed) Dave Murman, Chairperson

NOTICE OF COMMITTEE HEARING(S)
 Health and Human Services
 1510 1:30 PM

Thursday, February 29, 2024

LB982
LB1086
LB1283
LB1392

(Signed) Ben Hansen, Chairperson

Judiciary
Room 1113 1:30 PM

Wednesday, February 28, 2024

LB967
LR277CA
LR279CA
LB980
LB970

(Signed) Justin Wayne, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Albrecht name added to LB137.
Senator Albrecht name added to LB399.
Senator Albrecht name added to LB541.
Senator Holdcroft name added to LB853.
Senator Albrecht name added to LB934.
Senator Albrecht name added to LB1004.
Senator Albrecht name added to LB1027.
Senator Albrecht name added to LB1035.
Senator Holdcroft name added to LB1037.
Senator Conrad name added to LB1041.
Senator Albrecht name added to LB1126.
Senator Albrecht name added to LB1301.
Senator Albrecht name added to LB1306.
Senator Conrad name added to LB1367.
Senator Albrecht name added to LB1394.
Senator Albrecht name added to LR277CA.

VISITOR(S)

Visitors to the Chamber were members of Leadership Beatrice; Gretchen Pesek, Brainard; Landen Ford from Seward High School; members of Nebraska Civic Leaders Program-Omaha Public Schools; members of Nebraska State AFL-CIO; students from Bruning Davenport, Davenport; students from Washington Elementary, Omaha; members from Leadership York; members from Elkhorn Rural Public Power District-Board of

Directors, Battle Creek; U.S. Senator Michael Brown, Washington, D.C.; members from Nebraska Early Childhood Policy Leadership Academy from across the state.

The Doctor of the Day was Dr. Marlon Weiss of Lincoln.

ADJOURNMENT

At 11:55 a.m., on a motion by Senator Halloran, the Legislature adjourned until 9:00 a.m., Thursday, February 22, 2024.

Brandon Metzler
Clerk of the Legislature